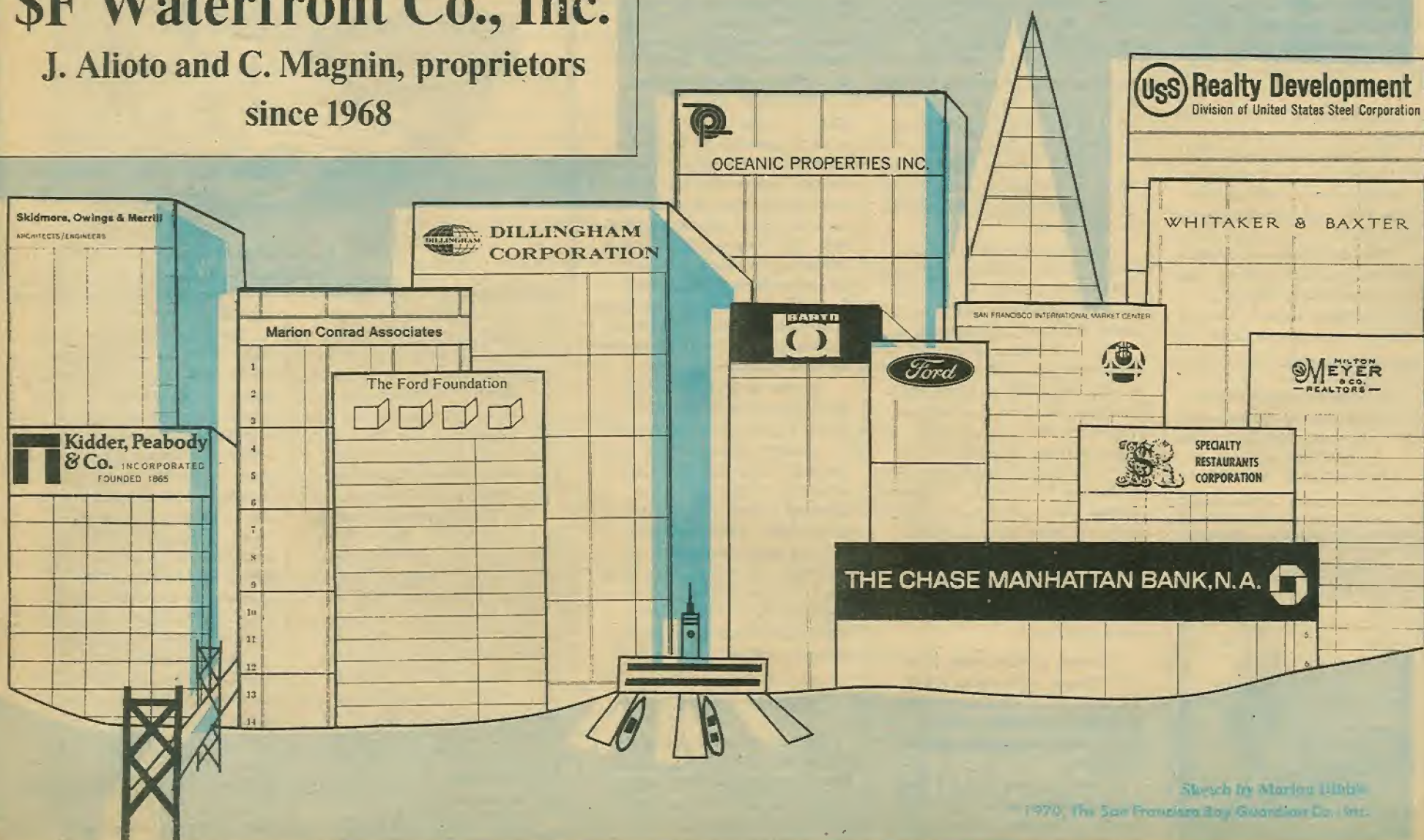


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By Dale Rosen

San Francisco's waterfront has been put on the real estate market and is now being auctioned off to giant corporations by the City and Port of San Francisco.

Dillingham, U.S. Steel, Ford Motor Co., Kidder Peabody, Oceanic Properties, the Ford Foundation--these will be the beneficiaries of the Port's decision to parcel out this spectacular stretch of public land for a 40-story office building, huge hotels and motels, trade and convention centers, an office complex with as much space as the Bank of America building, even an auto agency.

These blockbuster developments will take choice sections of the waterfront--on both sides of the Ferry Building and just south of Fisherman's Wharf--and will also put the entire maritime arc from Aquatic Park to China Basin squarely in the gunsights of private developers.

These developments, by their size, height, density and critical wall-to-wall position at water's edge, would finish what the Embarcadero Freeway started: cut us off forever from San Francisco Bay.

This is your property we're talking about.

It is owned by the city, operated by the port, financed by public funds, but the City and the Port now act like private real estate brokers in quietly parcelling out what Mayor Alioto, the city's top real estate huckster, calls "one of the hottest pieces of real estate anybody could get."

Boasted the mayor on KQED's "The Mayor Reports,"

"I'll tell you quite frankly, I beat the bushes all over this country and, indeed, in some parts of Europe, to get these companies to come in, to compete, to give us the most imaginative things we can possibly get for our waterfront.

Waterfront Huckster No. 2 is the Port's Cyril Magnin. Last fall, his commission sent out a circular to 125 major real estate firms throughout the country, advertising port land as "a real estate development opportunity unique in the history of San Francisco."

Behind the Alioto/Magnin waterfront development scheme lie some fundamental questions: Should waterfront land go to people or to corporations? Should it go the way of Miami Beach? Or Manhattan Island? Should it remain a working port? Should it go for massive, non-maritime commercial development or for shipping, parks, open space, housing? What should we do with the port?

This is the stuff for a great San Francisco debate. Instead, with no public hearings, with almost no public discussion, the decision for maximum development has been made quietly, and is being promoted in the San Francisco tradition of Candlestick Park and Hetch Hetchy power. (See Petrakis, p. 6)

Magnin's sales pitch rests on this premise: the port needs a lot of money, \$100 million over a 25-year period, to finance new shipping terminals and containerization facilities.

The Port, Magnin claims, has but three ways to go: (1) forget shipping, turn the waterfront over to promenades and parks; (2) use general obligation bonds, which would raise the city tax rate;

- continued on page 2

Why our air pollution agency doesn't reduce smog

By Julia Cheever

The Bay Area Air Pollution Control District, a \$1.8 million public agency to control air pollution, has laid down a massive smoke screen to protect industrial polluters and camouflage the effects of smog.

The reason: the BAAPCD has, since the District was founded in 1955, been locked in into a symbiotic relationship with the polluting industries of the Bay Area. In brief:

● Industry produces 54% of the four obnoxious pollutants you can see or smell in the Bay Area.

(But the BAAPCD tries to minimize industry's role, using misleading statistics to claim industry produces only 11% of the total air pollution and to pass the blame to automobiles--which it has no power to regulate.)

● The "Dirty Eleven" major industries produce over a third of all industrial air pollution, most of it completely legal under present BAAPCD regulations.

(The BAAPCD refuses to

disclose the names of these industries and tons of each contaminant they emit, for fear public pressure will force tougher regulations and enforcement.)

● BAAPCD regulations on several industrial contaminants are so weak that they don't meet new state standards based on health criteria.

(Despite a federal mandate to toughen standards, the BAAPCD probably won't tighten at least one major regulation on existing industries for four or five years, Jud Callaghan, the District's Chief Administrative Officer, told me.)

● The major industrial polluters belong to a little-known, but strong lobbying agency that effectively influences the District and is now, through a \$150,000 advertising campaign, at work on the public through full page ads in 27 Bay Area papers (excluding the Guardian.) So successful is the lobby that it even has a member of the BAAPCD's influential Advisory Council on its payroll.

● Industries easily get variances from air pollution regulations from the BAAPCD's supposedly "independent" Hearing

Board which almost always follows staff recommendations.

(The staff usually argues in favor of industry--last year in 27 out of 36 cases.)

In contrast to industry's well oiled path into the BAAPCD, citizens find it tough going to protest pollution. Example: Callaghan himself tried to strike down a Richmond resident's attempt to lodge a formal complaint two years ago against a Standard Oil chemical plant. The resident, David Hipolito, would have to get 1,000 of the community's 2,000 residents to sign depositions, in the District's San Francisco office, before the District would invoke its "nuisance clause," Callaghan said.

The BAAPCD Directors who

- continued on page 10

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The politics of 'Embarcadero City'

- continued from page 1

and (3) lease land to big developers, use the rent to back revenue bonds to finance the shipping facilities.

Magnin's Port chose development.

This strategy may actually kill shipping in San Francisco by driving out present tenants before new terminals can be built.

"What the (Port) commission does not appear to realize," declared the Pacific Shipper, a weekly trade magazine (Oct., 1969), "is that by the time

these revenues are in the till, it may be too late to turn back to maritime development."

On the surface, waterfront development plans seem to have solid support. But at many critical points, the Port's scheme is quietly attacked.

For one: Former Port Director Rae Watts challenged the financial feasibility of development. He was fired.

Watts told the Guardian he doubted that development would yield rental income in time to build the necessary facilities to sustain the Port's current business.

Even the author of the bill transferring the Port from State to City ownership and the architect who produced the Northern Waterfront Plan dispute the Port's favorite proposals.

"It was not my intention when passing the 'Burton Act,'" Assemblyman John L. Burton declared early last year, "that the city would then proceed to turn the northern waterfront over to large, commercial enterprises not related to shipping and maritime activity."

Current development proposals "do not accomplish what we intended," Architect John S. Bolles, who directed the City's planning study, told the Guardian.

Bolles suggests that the area immediately south of the Ferry Building (the site proposed for the U.S. Steel office tower) be developed for low rise, low and middle income housing, emphasizing open space and public access to the waterfront.

But in the stampede for development, housing proposals have been summarily dismissed. Instead, Bolles complained, the Port is competing for corporate tenants with down-

town development projects like Yerba Buena Center. Because they are an unprofitable investment, poor people aren't fit for the hottest property in town.

"Waterfront sites," observed John M. Bailey, Jr., director of the University of California Extension Community Design Center, "when they are not conceded to commercial use, are commonly reserved for the rich." He proposed in a recent letter that any development of public property--particularly in the waterfront area--be required to devote at least one third of its floor area to low and moderate cost housing.

Replies from Magnin and the Mayor's office cordially explained that Bailey's proposal was neither "feasible" nor "desirable." But Redevelopment Director M. Justin Herman claimed it was: "The policy of using some of the waterfront (for low and middle income housing)...is valid in my judgment," wrote Herman, "and I will testify on the subject when it gets before the Board of Supervisors."

Embarcadero City

But block-buster proposals keep coming in just as envisioned in the Embarcadero City scheme Magnin dreamed up over 10 years ago--projected as 80 blocks of shipping plazas, restaurants, art centers, hotels, theatres, fashion centers, office buildings and trade centers spanning the waterfront from the Ferry Building to Aquatic Park.

This plan, the Port Authority trumpeted, would make San Francisco "the most beautiful city in the world."

One week after Embarcadero City was unveiled, the Port hired Ebasco services of New York to survey waterfront lands. And Ebasco came up with the expected: Move shipping to the southern waterfront, develop the north with "large revenue-producing non-shipping ventures."

The Port took its second giant step toward Embarcadero City in 1964, commissioning Arthur D. Little, Inc. to do a \$200,000 economic and land use survey of the waterfront. Little's recommendations, released in 1966, were pre-ordained: Again, move shipping south to accommodate new cargo-handling technology ("containerization") and "develop" the north to finance the new terminals.

Master plan

The Port Authority celebrated. Most of Little's recommendations, a Port press release noted enthusiastically, "underscore the plans put forward by the Port Authority in recent years in its 'Embarcadero City' concept for long-term commercial leasing of pier sites along the Embarcadero."

Next, the City commissioned its own Master Plan, predicated on the Port's assumption of "development" on the northern waterfront.

Legislation, proposed and pushed by Magnin himself in 1963, had granted the Port Authority the right to "request the City and County of San Francisco to provide zoning ordinances" for lands no longer



Sketch by Mick Stevens

©1970, The San Francisco Bay Guardian Co.

needed for maritime purposes. The legislation, predictably, restricted the City to plans and ordinances that would "permit the authority to use the property so as to yield maximum profits." Moreover, the Port could appeal any ordinance to the Planning Advisory Committee, appointed by the Governor.

The City Planning Commission hired John S. Bolles Associates, on the Port's recommendation, to prepare their Northern Waterfront Plan.

The Bolles plan, released in 1968, nudged San Francisco a little closer to Embarcadero City. In the preface, the report's "goals and objectives" strongly emphasize social and aesthetic ideals. But their implementation, Telegraph Hill Dwellers found, is "often timid and haphazard."

In such crucial areas as housing and open space, the report's guidelines fall far short of its objectives. For example: The first objective calls for "strengthening of residential areas," but the proposed land use map shows no new housing.

And Magnin's promise of "50 per cent" in parks and open space has vanished. Discounting the 2.38 acres reserved for "Embarcadero Boulevard," the plan provides only 3.85 acres of new open space--out of a total 1,000 acres in the plan.

The Planning Commission reviewed the Master Plan in April, 1969, making only one substantial change. It recommended a STOL (short take-off and landing) port for Piers 36 to 46.

In November, 1968, ratification of the Burton Act transferring Port ownership from the State to the City added impetus to the development juggernaut.

The little publicized terms of the transfer hold the City to unusually stringent requirements: The City is liable for Port improvements, but 85 per cent of any "surplus" revenues go into State coffers. Over the next 25 years, San Francisco is obligated to issue at least \$100 million in bonds "for harbor purposes." And any capital improvements in excess of \$250,000 require prior approval by the State Department of Finance.

The City accepted these disadvantageous terms, it would seem, to make it necessary to develop the northern waterfront to finance the \$100 million

albatross.

Two years ago, the Guardian denounced the transfer agreement as a mandate for development. In opposing Propositions B and C we asked:

"Does home control mean it will be easier to parcel off port lands to private developers, as Magnin's Port Authority is trying to do on behalf of Lap-ham's Telegraph Hill Developers? Does it mean that some sort of Embarcadero City is coming for bay scape west of the Ferry Building that should forever remain in maritime use in the public domain?"

Current development proposals answer "yes" to both questions.

Catch-22

The "Catch-22" of the transfer agreement gives legal sanction to leasing the northern waterfront for private, commercial development. Any land not "required" for mari-

- continued on page 3

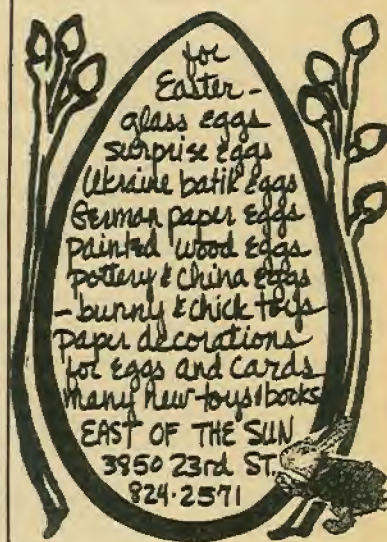
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Striking tenants fight the 'Brave New Berkeley'

By Jack Nicholl

Jack Nicholl is a member and organizer of the Berkeley Tenants Union.

The Berkeley Tenants Union strike brings into conflict two contradictory visions of a human community.

One vision--already well developed on the drawing boards and in the financial plans of the University, the City, construction industries and big real estate interests--promotes a giant scientific complex around the University and massive apartment developments near BART facilities.

The other view proposes to freeze concrete and plastic construction in the city, open the vacant land in the interior of residential blocks, preserve older houses, restrict and eventually abolish automobile traffic in many areas of the City and exercise community control over police, polluters and other more or less clearly defined enemies of the community.

A new range of organizations and interests support this vision: the Berkeley Tenants Union (BTU), Peoples Architecture, the Food Conspiracy, plus dozens of block and neighborhood groups. They offer a community alternative to an ugly, destructive, inhuman plan for Berkeley.

BTU strikers (nearly 1,000 in

over 600 units) aim not only to reduce rents, secure new leases and housing repairs and abolish uptight house regulations, but most important, to win recognition of the BTU as sole collective bargaining agent for tenants.

Thus, tenants are creating a permanent organization to help them implement a low rent, non-plastic, people's vision for Berkeley.

Predictably, their landlords--Melvin Kaplan, Forrest Merrill, Art Kobs, John Knudsen, Values, B & G, Elias Haniff, Richard Burke and many others--want to negotiate on rent and repair issues but refuse to recognize the tenants' union.

But these landlords' refusal to recognize the BTU as a "real" union has not discouraged the tenants.

Rather, it forces them to consider imaginative ways to make the "reality" of the union unmistakable.

Community Control

For example, some tenant groups are taking possession of adjoining vacant lots and creating organic gardens. Other groups are preparing to rip down the fences which divide the interiors of their blocks to build day care centers, play areas, gardens and parks.

In response, landlords are desperately trying to keep the focus on rents and repairs--the only issues which keep the landlord in the picture. Values has offered some a 25 per cent rent reduction of its more militant tenants (as has Kaplan) but few tenants have settled for the bait.

Tenants are beginning to see that their survival is linked with a broader conflict about who controls what happens in Berkeley. They sense that part of that conflict is a Removal Policy directed against them. And they ain't moving.

Peoples Park was the first mass response to the University-City plan to push hip, young,

poor residents out of the South Campus area. These people lived in the old, wood houses which stood on the site of Peoples Park; when the houses were torn down, the same people came back to build a park.

Rent increases serve the same purpose as demolition.

Besides increasing landlords' profits, they force tenants out of the area into West Berkeley, the Black community or into Oakland. Moving into West Berkeley in turn forces Black families into the Oakland ghetto and helps to further the plan for an all white middle income Berkeley.

The BTU has decided to stop this migration, not by fiat, but through the constructive action of keeping people where they want to live. Rent increases provide levers to pry people up from their own turf. If successful, rent increases will clear the people out of the way so that "plastic" Berkeley can be implemented without incident.

The University wants the whole south campus area "sanitized" to protect its own planned expansion. Under the Long Range Development Plan for the University of California, Berkeley, UCB would establish leadership "in the areas of molecular biology, chemical biodynamics, space sciences, radio astronomy, nuclear engineering, operations research and urban and regional planning."

To establish such leadership requires de-emphasizing the humanities and social sciences and creating "a significantly large and new element in the University population--the post doctoral fellow and the non-academic group of supporting investigators." (Long Range Dev. Plan)

This new "element" would include 3,600 additional graduate students over a 10 year period, the University "Growth Plan" predicted in 1965-66, and would pump an additional \$6.4 million into Berkeley's economy every year.

This new "element" would require new facilities. "Long-range" possibilities include: a health sciences complex, occupying 25 to 30 acres in Berkeley (Edwards Field), Albany (the Gill tract) or North Oakland; a University-affiliated conference center modeled after the Kellogg Center at Michigan State, restaurant, hotel and conference facilities; and including private research science facilities, a small scale version of Stanford's industrial park, to be developed by Cabot, Cabot and Forbes.

High rise

Finally, the 50,000 new people expected to live in the south campus area will need apartments.

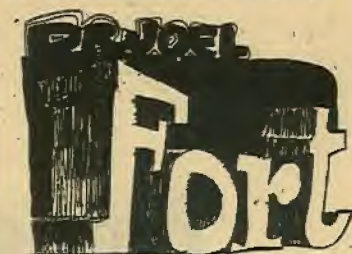
Until the early 1960's, large sections of Berkeley were zoned for high density, high rise structures capable of housing some 800,000 people. While this zoning has been defeated for much of Berkeley, it still applies to the South campus, according to the latest zoning ordinance. There will be no room here for anybody who doesn't make \$800 to \$1,000 per month.

In offering Berkeley residents the advantage of inexpensive, rapid transportation to and from

- continued on page 5

First Cahill: How about Carberry, Sox and Born?

Celebrate the Mayor's belated firing of Police Chief Cahill (recommended by this column more than a year ago) and Chief Nelder's subsequent reshuffling of the antiquated police department hierarchy--but only if these events lead to improved law enforcement and administration of justice.



Dr. Fort is the author of a new book, "The Pleasure Seekers." He is a public health specialist, sociologist-criminologist, lecturer, and social critic.

The obvious priorities for our police are, first, prevention and punishment (by arrest) of crimes against the person (murder, rape, assault). Next: crimes against property (embezzlement, fraud, theft, burglary). Then: crimes without victims, concentrating on the organized (as numerous in San Francisco as in other large cities) purveyors of gambling, prostitution and drugs.

San Francisco's 150 murders or so in 1969, most of them unsolved, and the growing number of crimes in offices, apartments, highways and sidewalks testify to the failures of Alioto, Cahill and their minions. But sympathetic treatment by the press, the protectionism of Chief Administrator Mellon and the public's ignorance and forgetfulness all combine to obscure the city's unlawfulness and disorder.

Chief Nelder has reshuffled police personnel. But merely changing titles and positions does not automatically alter the department's outmoded regulations and procedures, poor morale or lack of professionalism. (It is noteworthy that so far the only protected lieutenant is the head of the "narcotics" detail--an ineffective, destructive, and morally corrupt unit).

Like many other bureaucracies, the San Francisco Police Department faces a crisis of senility and mediocrity. Until Chief Nelder improves recruiting and training, rewards energy and idealism and reduces bigotry toward minorities, only the image of police effectiveness, not the reality, will change.

The Department needs genuine reorganization to give leadership and power to younger, better educated and innovative people and retire to pasture the

old captains who run the department. College education should become a minimum requirement for employment--with annual in-service training and refresher courses, good promotional opportunities and increased salaries and protection.

Why has there been no effort to force the resignation of Sheriff Carberry, a proven law breaker, chronic alcoholic and incompetent? Or, for that matter, of San Francisco's two other 19th century relics, Dr. Ellis Sox, Director of the Health Department (recently questioned by homicide inspectors about the curious death of his wife) and Ronald Born, Director of the Welfare Department?

San Francisco General Hospital has been two years without an administrator because the Health Department, which is responsible for the hospital, has been 17 years without one, and because charter reforms, which would have removed Mellon's lateral powers, received little backing from the Mayor and were defeated in the November election.

San Francisco has yet to institute the major recommendations on police reform of the several Presidential Commissions on Law Enforcement, Drug Abuse and Violence. (Former Chief Cahill himself, as a member of the Presidential Commission on Law Enforcement and the Administration of Justice endorsed but never implemented meaningful community relations programs, internal restructuring, computer assistance and greater professionalism). The report on California Law Enforcement, by the Space-General Corporation, lies in the bottom file drawer of the Hall of Justice.

Police should not coerce puritanical concepts of morality and virtue. Clubs should not block peaceful dissent. The police will be respected and effective only when they operate under a philosophy of equal justice for black, white and brown.

Until the U.S. becomes a civilized nation, we need police: well-trained, fair, rational, just and respected. The San Francisco Police Department, let us hope, may yet move toward that ideal and toward full protection of society and individual freedom.

THE END

KENNETH REXROTH

Kenneth Rexroth is ill. His column will appear in the next issue.

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Subpoenas make newsmen spies

By Ted Rosengarten

The Federal Government has subpoenaed Earl Caldwell, a black, San Francisco-based reporter for the New York Times, for two reasons:

1) to enlist a respectable, black source in its continuing suppression of the Black Panther Party and, 2) to sever the links between black and white dissenters and sympathetic media.

The Government wants blacks to point the finger at other blacks, thus wiping out dissent while avoiding accusations of racism, suggested a spokesman for Black Journalists, an organization of black Bay area media workers. He believes the government knows what Caldwell knows but needs the information to come from him to make it authoritative and "clean."

In the process, he said, Caldwell would violate his trust with the black community, negate his usefulness as a reporter, destroy himself.

Many reporters, including the Chronicle's Tim Findley, keep extensive notes on the Panthers and other radical groups. But Caldwell was the only individual reporter directed to appear in this wave of subpoenas. Simi-

lar subpoenas ordered media corporations---CBS, Time, Newsweek---to surrender information.

To Black Journalists, the move against Caldwell "clearly indicates that the web of repression directed against the Black Panther Party is being stretched and expanded to envelop all sections of the black community." (Ball and Chain Review, monthly newspaper of Black Journalists, Jan.-Feb., 1970)

Repression here consists not in physical intimidation but in using Caldwell to get at the Panthers.

Black Perspective, a New York organization of black journalists, deplored attempts by police agencies to "exploit" their blackness by making them the "white world's spies in the black community."

Caldwell refused to appear before the grand jury on Feb. 18. His subpoena was set aside, postponed indefinitely---but not cancelled. He had been ordered to bring his "notes and tape recordings of interviews covering the period from Jan. 1, 1969, to date, reflecting statements made for publication by officers and spokesmen for the

Black Panther Party concerning the aims and purposes of said organization, its officers, staff, personnel and members, including specifically but not limited to interviews given by David Hilliard and Raymond 'Masai' Hewitt."

The Panthers' forward movement has already been stopped. If the government can cut off reporters from their sources and silence publicity---for example, news coverage after the Chicago murders of Fred Hampton and Mike Clark, the well-rehearsed Los Angeles bust and the Seattle raid the mayor wouldn't allow---it could more easily nullify the party.

To complete the job, many Panthers believe the government would use information it obtains to close down their newspaper, a source of revenue and unity which Hilliard calls the "life-blood" of the Party.

The history of repression common to all black people gives black newsmen a perspective distinct from their white co-workers'. Black reporters, while not losing sight of the constitutional issues subpoenas raise, emphasize the dangers to the black community's security and their "very special relationship"

to black people based on "a trust built around blackness."

The black reporter, observes Black Perspective, "goes HOME when he leaves the office to cover a black story." Further, "black and white reporters are not interchangeable." Black newsmen assign themselves "to cover the black community out of a sense of responsibility to bring about a greater understanding and clarity of the dynamics of the black revolution."

The Panthers participate on the same side in the same social conflict as black reporters. Rush Greenlee, chairman of Black Journalists, admits his organization has disagreements with the Panthers, but "in the main we accept their thrust."

Government investigations are "a euphemism for political repression," declares Black Journalists vice-chairman, Robert Allen. Should black or white newsmen cooperate with investigations and prosecutions aiding repression?

To white media, subpoenas raise strictly legal questions. (They regard as equivalents Caldwell's subpoena, subpoenas for Weathermen files and for information earmarked for anti-trust suits.) Arthur Ochs Sulzberger, New York Times publisher, maintains "the use of subpoena power must be balanced against the right of the press to operate freely and the right of Americans to a free and unhampered flow of information."

Hedley Donovan, Time Magazine editor-in-chief, announced his company would "analyze each subpoena carefully and weigh its relevance to trial proceedings or criminal actions."

Do reporters' rights end when management decides their information is "relevant" to trial proceedings?

Is it ever in the black reporter's interest or in the interest of the black community for him to surrender confidential information to the government?

Over these questions the interests of the black reporter and the white-controlled press could diverge. Besides the Times counsel, Caldwell retained his own lawyer, Anthony Amsterdam, Stanford University law professor. Amsterdam, Black Perspective asserted, will work to protect Caldwell's interests and rights "quite apart from what the New York Times or any other newsgathering firm may choose to do."

But the white media don't

want to fight it out with the Justice Department. They prefer backing down to the old rules---"pre-subpoena" negotiations. And the Justice Department, having made its point, agrees. After all, under the "established pattern" the Justice Department gets what it wants.

Since this mutual retreat, the Caldwell story has expired on the back pages. When Attorney General Mitchell announced his regrets over the disturbed equilibrium and his office reverted to "cooperation and consent," the Oakland Tribune declared the subpoena issue dead. But Caldwell's subpoena has not been rescinded. Last week, after a Black Journalists press conference supporting Caldwell, a Justice Department official warned Caldwell's attorney, "don't be surprised" if other black journalists get subpoenas.

"Who is next?" the Black Journalists ask. Tim Findley recognizes the danger. Defending against "an assault" on his profession and "a serious threat to the right of free speech itself," he writes in Ball and Chain, "I will refuse to be used as either a saboteur or a spy."

The black newsman, facing a tangible menace in Justice Department harassment, is called upon to back his commitment to all black people. A Black Journalists editorial demands, "He must either confess that he has given the black community a hollow promise, or he must resist, resist, resist."

THE END

'Brave New Berkeley'

- continued from page 4

San Francisco, BART has opened up the land market for "bedroom speculation." Property near BART facilities is quickly becoming prime land for apartment construction to house San Francisco's middle executives who don't want to live in S.F.

One model of removal has already begun at the Hotel Alexander, situated on Shattuck right near University Avenue in the central business district. About 80 people live there in 64 tiny rooms for about \$75/month.

Many tenants are on welfare, many are "long hairs" unable to find apartments and others are new to the area. A new owner, (Buchman and Sheehan, Co.) wants to throw them out and turn the hotel into a 32-unit apartment house for the elderly.

To get the zoning changed and to make the venture profitable required maneuvering: After securing an option on the property, Buchman and Sheehan turned to Tom Cook, head of Berkeley's Redevelopment Agency. He gave them a "letter of interest" guaranteeing them \$48,000 in rent per year from federal Leased Housing Program

funds upon satisfactory "rehabilitation" of the hotel.

With the Agency's letter in hand, the prospective owners went to the bank to negotiate a loan, then to the Board of Adjustments to get a zoning variance to allow the conversion. Over the protests of 50 hotel's residents, the board granted new use permit and zoning variances.

Waivers

In making this decision, upheld by the City Council on Feb. 17, the Board went out of its way to help the owner throw out the hippies. It altered the "use permit" to allow apartment units, waived the City's requirements for open space around apartment buildings and waived the city's one parking space per unit requirement.

To top things off, nobody could explain satisfactorily why a home for the elderly should be established in the city's most congested section. Finally, through a convenient technicality, neither the Redevelopment Agency nor the landlord is responsible for relocating tenants.

(Federal redevelopment policy requires the agency to relocate if government action caused the displacement or if the tenants are families, poor, elderly or handicapped. But Cook's "letter of interest" does not constitute to the Redevelopment Authority, an official government action. And most of the tenants are single, young and fit.)

Counter-insurgency

Removal is more than cultural discrimination; it also has a class basis because the tenants up for "removal" are relatively poor and "politically objectionable."

Moreover, the policy amounts to outright political suppression aimed at a cultural group actively engaged in challenging American society at every step. These tenants gen-

erally support the Black Panthers, view the Conspiracy trial as a fraud and the onset of fascism, support immediate withdrawal of U.S. forces from Vietnam and want some drastic changes in America to redirect the country's resources toward the needs of poor people everywhere.

The BTU is a loosely structured group of organizers and strikers. Its loose structure allows everyone to become competent in every aspect of community work from writing leaflets, to holding a press conference, to handling finances. Also, loose structure adds to the survival capacities of the union: it has no small core of "leaders" whose arrest would cause the union to fold.

The BTU has planned for contingencies. Its legal apparatus involves dozens of lawyers, recruited through the Lawyers Guild.

Striking tenants already have their legal cases prepared although less than a dozen have received summons from the courts. By assuring each tenant all of his legal rights and options the legal staff provides time for the tenants' strike to do some real damage to the landlords' financial position.

Financially, the union is sound. Tenants donate 15 percent of their monthly rent to the union for legal and office expenses.

People in Berkeley are digging in.

THE END

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SF power - in the great tradition of Abe Ruef and Candlestick

By Peter L. Petrakis

Oral Moore, manager of San Francisco's Hetch Hetchy water and power project, recently addressed the San Francisco Planning and Urban Renewal Association (SPUR) on our huge hydroelectric system in the Sierra. He referred to "the problem of disposing of San Francisco's electrical power."

"Problem?"

Why should San Francisco, which has within its boundaries one of the most compact, populous and lucrative retail power markets in North America, have a "problem" disposing of its own electric power?

The historical background of this "problem" has been outlined fully in previous Guardians as part of the great San Francisco tradition of Abe Ruef, Russell Wolden and Candlestick Park. (See Neilands in Mar. 27, 1969 Guardian, Petrakis in Sept. 30, 1969 Guardian.) Only a brief summary is now needed.

In 1913, after a bitter conservation battle, the federal government granted San Francisco the unprecedented concession to dam a beautiful valley (Hetch Hetchy) in a beautiful national park (Yosemite) to build a system of dams, reservoirs and powerhouses on the Tuolumne River to supply the city's water and power.

The condition: that the city produce cheap public power, that it build a municipal distribution

system and that it allow absolutely no resale or transfer of power to private utilities such as PG&E.

Disposing of Hetch Hetchy water was no "problem" for San Francisco. It bought out the Spring Valley Water Co. without much fuss and promptly went into the business of retailing cheap water to San Francisco and Peninsula residents. Retailing cheap electric power in San Francisco, however, brought the city up against fortress PG&E.

News blackout

From 1927 to 1941, PG&E spent a small fortune to defeat eight successive bond issues to purchase its San Francisco distribution system in accordance with Raker Act and city charter public power commitments. Its principal allies: the Chronicle, Examiner (who impose a news blackout on the issue to this day) and other conservative business elements.

Since 1925, when Hetch Hetchy's first block of power became available, the city PUC has slaved mightily to figure out how to get rid of the power without selling it to San Francisco citizens and disturbing PG&E's illegal power monopoly.

First, the PUC tried to sell the power directly to PG&E for resale to San Franciscans (with a stiff surcharge). But the U.S. Supreme Court killed that sweetheart arrangement in 1940.

The Court's decision and the failure of the bond issues, together with a steady growth in Hetch Hetchy's power generating capacity, have subsequently led the city into an incredible series of arrangements, all designed to dispose of power to almost anybody except its owners--the people of San Francisco.

Many San Franciscans think of this Hetch Hetchy scandal as past history. It isn't. By forcing the city to build its electric utility system on the fringes of PG&E's empire, the private utility has imposed crippling physical and economic deformities that grow worse each year.

In brief, San Francisco has been forced to "solve" its "problem" by:

1) Maintaining a "dumping ground" for Hetch Hetchy power with large out-of-town chemical plants, assigned to it by PG&E to keep the city's power out of San Francisco;

2) Continuing to provide Hetch Hetchy power to PG&E for resale;

3) Wholesaling Hetch Hetchy

power to public power districts that make more money out of a fraction of Hetch Hetchy's output than San Francisco can make out of the whole output;

4) Preparing to maximize Hetch Hetchy's capacity with a \$230 million bond issue (total capital investment in the project: half a billion dollars) without simultaneously planning to acquire San Francisco's retail market; which it must have to make the investment pay.

5) Planning to wholesale Hetch Hetchy power to nearby public power cities thereby allowing them to reap the superior profits and prosperity that come with electrical retailing;

6) Continuing to allow PG&E to grab annual profits of at least \$30 million while the city takes the crumbs of far less profitable markets.

By the early 1940's the Turlock and Modesto Irrigation Districts began to outgrow their own power generating facilities. They were now interested in a deal San Francisco had first offered them in 1925. No doubt with some relief, after the Supreme Court decision, the city contracted to deliver extra Hetch Hetchy power to the districts, well above the Raker Act's small quota for irrigation.

Municipal services

To dump the rest of the electricity, City Hall and PG&E came up with this plan: Hetch Hetchy power coming over PG&E's Newark-San Francisco transmission lines (formerly sold by the company to San Franciscans) would henceforth be delivered exclusively to the municipal services. That way, no one could say the city was "selling" Hetch Hetchy power to PG&E for resale.

The Department of the Interior

and the Justice Department, which had sued the city over the earlier "agency" contract, went along with the plan. They agreed the city would pay PG&E to perform a service--wheeling the city's power to municipal departments.

(Another way to look at this arrangement, though, is that San Francisco gives to PG&E that portion of Hetch Hetchy output destined for municipal services, then buys it back. Once Hetch Hetchy power goes into PG&E's lines, it becomes indistinguishable from PG&E power and the company can do what it wants with the power--even sell it to

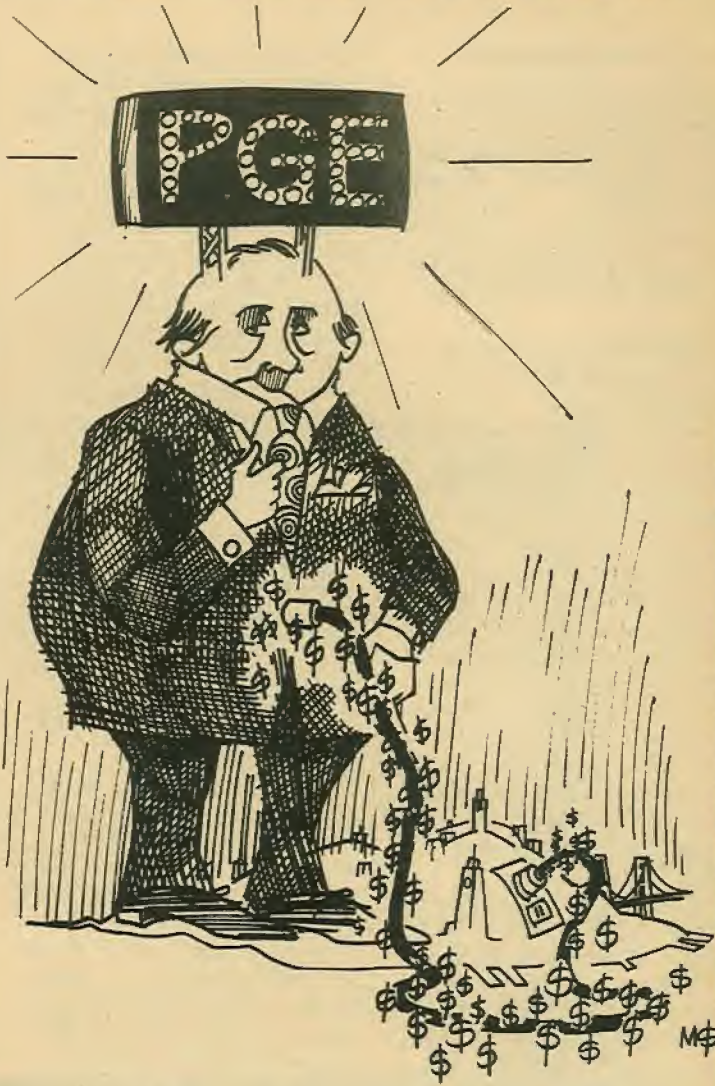
the people of San Francisco. "Wheeling" and "wheeling fees" are merely bookkeeping labels.)

After these contracts were signed in 1945, the city had a guaranteed market for power. The city could now proceed with further power developments along the Tuolumne River--not for sale to the people of San Francisco, but to anyone else who could legally buy it.

Something in the psychology of utility managers makes them unable to bear the sight of an undeveloped hydroelectric power drop. Thus it has happened--

- continued on page 7

Who turns on PG&E?



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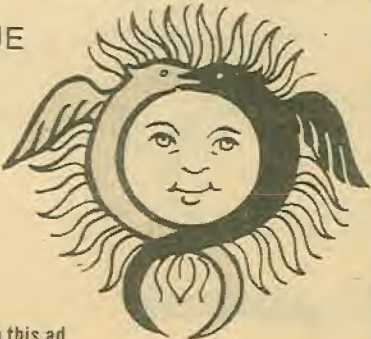
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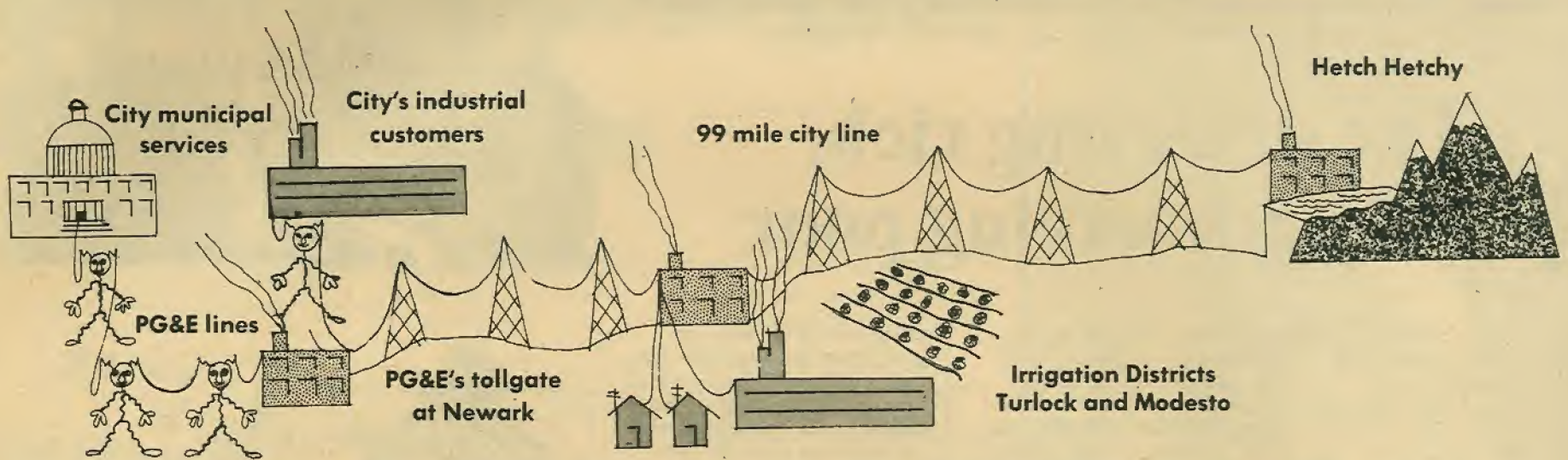
Where has San Francisco's power gone? (Everywhere, but to San Franciscans)

Six years of Hetch Hetchy production: 1963 - 1968*

	Kilowatt-hours	Percent of total Hetch Hetchy output
1. San Francisco Houses, business & industries	None	0%
2. San Francisco municipal accounts (wheeled from Newark to SF on PG&E lines, at an annual charge to SF of \$2 million)		
International Airport	636,000,000	
Municipal railway	378,000,000	
Municipal street lighting	264,000,000	
Water Department pumps	156,000,000	
All other municipal	605,000,000	
Subtotal:	2,039,000,000	22%
3. Irrigation District accounts		
Turlock irrigation district	1,040,000,000	
Modesto irrigation district	2,670,000,000	
Subtotal:	3,710,000,000	40%
4. Industrial accounts		
Dow Chemical Co. (Pittsburg)	1,399,000,000	
Kaiser Gypsum & Cement Co. (Santa Cruz)	939,000,000	
Hercules, Inc. (Pinole)	656,000,000	
Shell Chemical Co. (Pittsburg)	168,000,000	
California Ammonia Co. (Lathrop)	120,000,000	
Kaiser Aluminum & Chemical Co. (Santa Cruz)	111,000,000	
Norris Industries (Riverbank)	88,000,000	
Air Products & Chemicals Co. (Lathrop)	21,000,000	
Miscellaneous customers (Fresno, etc.)	28,000,000	
Subtotal:	3,526,000,000	38%
TOTAL HETCH HETCHY POWER DELIVERED:	9,275,000,000	100%

* Sources: Hetch Hetchy preliminary annual report, 1969 PG&E annual reports, 1963 thru 1968.

How San Francisco solves its power "problem"



San Francisco's power, 2 billion kilowatt-hours annually, originates at city's \$300 million facilities at Hetch Hetchy (above, right).

Turlock and Modesto Irrigation Districts buy 40 percent of Hetch Hetchy output, retail it to district consumers (houses, industries, agriculture), make more public profit on this fraction of Hetch Hetchy power than San Francisco makes on the entire output. Districts charge low rates, subsidize irrigation with earnings — still have profit left over.

City's 99-mile line ends at Newark, 35 miles from San Fran-

cisco. Hetch Hetchy power passes into PG&E's toll gate there and the private utility carries it to city municipal services (22 percent) and to city's out-of-town industrial customers (38 percent). Annual toll to PG&E: \$2 million.

City's industrial customers employ no San Franciscans, pay no city taxes. PG&E assigned them to San Francisco to help the city get rid of Hetch Hetchy power the irrigation districts can't use. Purpose: to prevent the city from agitating to acquire PG&E's San Francisco distribution system and bring this cheap public power to the city.

- continued from page 6

pened that, although the city has been unwilling to go into business selling electricity to its own citizens, it has proceeded to harness additional power on the Tuolumne for customers outside the city.

From 1925 to the present, Hetch Hetchy's total generating capacity has been increased from 70,000 to 320,000 kilowatts by the construction of additional dams and powerhouses. In 1968, Hetch Hetchy delivered nearly 2 billion kilowatt-hours of energy to its customers. (PG&E during the same year delivered roughly the same amount to all the houses, businesses and industries in San Francisco.)

So rapidly did Hetch Hetchy's generating capacity grow, from 1945 on, that it outstripped the capacity of the municipal services and the irrigation districts to absorb it. The original solution to "the problem" was no longer adequate. The city had to have additional customers.

It found them—not among the residents of San Francisco, but among out-of-town chemical manufacturers.

In the past six years, these companies have gotten about 38

per cent of Hetch Hetchy's power, according to the city PUC's annual report. (See table.)

The companies: Shell Chemical Co., Kaiser Gypsum and Cement Co., Kaiser Aluminum and Chemical Co., Air Products and Chemicals Corporation, Hercules Powder Co., Norris Industries, California Ammonia Co. and some small customers. (The balance of the power is distributed to Turlock/Modesto Irrigation districts (40 per cent) and municipal services (22 per cent), including the Muni Railway, City buildings, airport, water department pumps and street lights.

SF's dumping ground

Not one of these plants is in San Francisco. They do not pay taxes to San Francisco. They do not employ San Franciscans. They merely use San Francisco's power for the benefit of Contra Costa, Santa Clara, San Joaquin and Stanislaus Counties.

But the story is more complex than that. It involves a further development in the incestuous relationship between City Hall and PG&E that has sabotaged the public power provisions of the Raker Act and the city charter for 45 years.

Of course, more than a primitive urge to grow was involved in the development of power capacity above the immediate and predictable needs of municipal services and irrigation districts. A basic characteristic of hydro power is its variability. It rises and falls with the amount of precipitation in the Hetch Hetchy watershed.

The city has no steam plants to back up these hydro power variations. Therefore, to meet what it regards as its primary obligations the city must generate a large excess of hydro power. That way, it will not be caught short during a dry spell.

However, San Francisco has developed an excess generating

capacity far greater than needed to assure constant delivery to its primary customers. In fact, the current excess is double the amount now needed by the irrigation districts. This insures plenty of power to meet future increases in demand by these users.

The Modesto Irrigation District increases its power consumption by 10% a year, Turlock by 8%. Thanks to the economic growth stimulated by cheap public power and water, it will not be long before both districts will be able to absorb all of Hetch Hetchy's present excess capacity.

But in the meantime something had to be done about the "problem" of San Francisco's excess power. Enter the city's industrial customers.

That these industrial plants serve as an "electrical dumping ground" for power the city cannot (or will not) deliver elsewhere is revealed by the nature of the contracts the city signs with them. Unlike the contracts with the irrigation districts, these are short term contracts, cancellable on short notice. Here is how they work:

During periods of high runoff at Hetch Hetchy, more surplus power is available, so the city sends more power to these companies (over PG&E's lines, for a fee). During dry spells, Hetch Hetchy must deliver less. What then happens to these companies when Hetch Hetchy power is reduced? Do they cut down operations until Hetch Hetchy is ready to deliver more? Not at all. They keep operating at full blast—because the city buys the additional power it needs from PG&E to meet these companies' demands.

Non-competitive

Thus, PG&E and the city essentially share the same industrial customers. These companies once were exclusively PG&E's customers, but PG&E turned them over to the city in the early 1960's when the new Dion Holm and Robert C. Kirkwood powerhouses went on the line at Hetch Hetchy. Why should PG&E willingly give up customers?

To PG&E, the arrangement is necessary, if unpalatable, because it keeps the city from getting funny ideas about bringing the extra power into San Francisco as the Raker Act and city charter require. Better to let

the city get rid of power by assigning it some less profitable PG&E customers—outside the city.

Oral Moore freely concedes this is what the industrial accounts are all about. "PG&E has to provide some legitimate outlets for Hetch Hetchy power or they'd be in trouble," he told me. "The city would obviously be pressuring to get a distribution system."

Industrial accounts

To the city's industrial customers, it makes no difference who they pay for electricity. The city and PG&E charge them the same rate—the schedule established for privately owned utilities by the California PUC.

Thus, they have no incentive to prefer public power, which in other areas is cheaper than power sold by private utilities.

This non-competitive arrangement clearly violates the Raker Act and its provisions for a public system to sell power "in direct competition with adjacent privately owned utilities."

Few San Franciscans are aware of these industrial contracts that dispose of electricity they can't have. This is because they are quietly ratified by the State PUC. Orville Wright, formerly a deputy city attorney for public utility matters, told me that, although these contracts have existed for several years, they have never been the subject of

— continued on page 9

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The deserving rich, the undeserving poor

The poor are fighting back and the Redevelopment Agency doesn't like it.

In a suit pending against the agency's \$200 million Yerba Buena Center project, the San Francisco Neighborhood Legal Assistance Foundation (SFNLA) represents a group of elderly and poor tenants in the project area.

SFNLA is asking for a court injunction to stop the project until Redevelopment conforms to its own policy to provide adequate low-cost housing for displaced tenants.

This has provoked broadside attacks from Redevelopment Director M. Justin Herman and Chronicle editorial writers.

Herman calls Sidney M.

Wolinsky, SFNLA's director of litigation, "a clever, well-financed, able, ambulance-chasing lawyer who has no respect for poor people, is wrong and is intellectually dishonest."

A Chronicle editorial, in startling contrast to Scott Blakely's excellent series on SFNLA, ridiculed the foundation as part of the "vogue for bringing suits to reform the law and work for social change." They charged the foundation with harassing Redevelopment and prolonging litigation.

But SFNLA merely offers poor people a "right" the rich have long enjoyed: the right to tough, competent, comprehensive legal counsel.

Another thing: SFNLA at-

torneys and their clients can rarely affect legislative changes, as more affluent groups and their attorneys do, by lobbying, influence peddling or negotiation. The courts are about the only forum open to them.

For example, Superchron has four law firms (two in San Francisco and two in Washington, including the expensive, politically muscled firm of Lloyd Cutler) representing it in a multitude of antitrust and influence matters.

The Chronicle quoted Herman approvingly, "A litigation attorney can do little in the social field." What Herman and the Chronicle's editors really fear is how much he can do.

In these "reform cases," the SFNLA is relying on and making work one of the strongest parts of our legal system: that, at its best, it provides for reform and social change in the act of interpreting laws to resolve disputes.

By Chron's own count, SFNLA has won six major welfare cases. One required state rent allowances to provide for safe, healthful housing. The laudible result: higher welfare checks for almost every California recipient.

In last year's controversial Western Addition Community Organization suit, foundation lawyers satisfied the federal courts that Herman and his agency violated federal regulations on relocating those they forced to move. The judge issued an injunction against the project.

On Feb. 17, SFNLA argued in federal court that the Redevelopment agency once again--in the Yerba Buena Project--failed to meet its relocation obligations to thousands of people, mostly older people living in residence hotels which will be demolished to clear the way for the big commercial project.

In contrast, Herman's figures show what his Agency does to help the poor.

In a Feb. 11 letter to the Chronicle, Herman boasts that Redevelopment projects will add 12,700 new housing units to the city's short supply--more than the number of "blighted" units destroyed. And 43 per cent of the new units, he claims, will house "senior citizens and low-to-moderate income families."

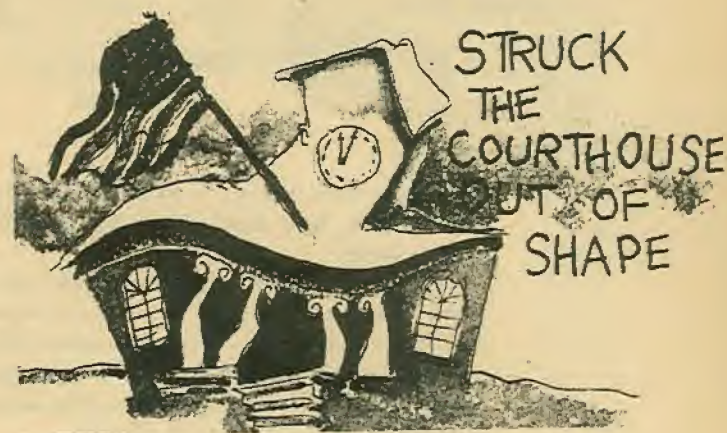
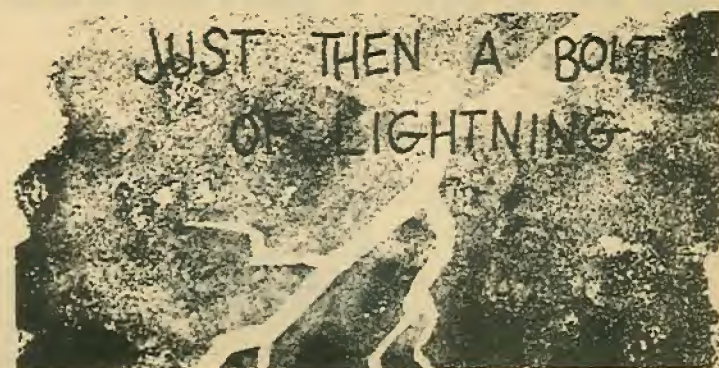
But most of the units replaced by redevelopment are low, not "moderate," housing. For people in the "blighted" units "low-to-moderate" is no guarantee of a place to live.

What of the remaining 57% of the new housing? Herman admits that this high percentage, about 7,200 units, will be luxury housing--on sites where poor people formerly lived.

What Mr. Herman is really doing for the poor is forcing them into ever more crowded housing in ever more limited areas of the city--the Tenderloin, the fringes of Chinatown.

"There is a benefit of being in redevelopment," Herman told the Chronicle. "You can go to bed each night knowing you have helped people in the slums."

THE END



by Cieciora, from the Radical Defense Handbook.

Northern Waterfront

- continued from page 3

a Jan. 15 public hearing, the Planning Commission beat back its own staff on height limits for construction around the Ferry Building.

The decision presages more to come, an indication of the kind of planning "controls" the City will impose on the Port.

The planning staff recommended basic 65-foot and 84-foot limits for sections of the area, with variances of up to 125 feet and 175 feet in 15 per cent of two sections.

The Commission listened to several speakers. William Coblenz, attorney for Ford Motor, fully supported the recommended height limitations. But the Chamber of Commerce, John Merrill (a SPUR director as well as architect for Oceanic and U.S. Steel) and the A. I. A. asked for "flexibility."

In developese, "flexibility" means high rise, noted Robert Katz of Telegraph Hill. But the Commissioners weren't listening to Katz.

"Flexibility"

Miriam Wolfe, then Port counsel, asked on behalf of the Port for "more flexibility" to allow for more profitable use of the land, permitting the Port to charge higher rents.

Only Mortimer Fleishhacker challenged the "flexibility" proponents. The Bolles plan, he pointed out, recommended limiting heights to protect views of the Bay. The Port Commission, he complained, had not specified its financial needs and prospects. And Ford, he recalled, was able to abide by the Planning Department's recommendations.

When the votes lines up six to one, Fleishhacker joined the majority and made the vote unanimous. From Howard St. to Folsom St., extending 400 feet over the water, the Commission approved a 400-foot maximum height--a solid block of high rise.

The Port and U.S. Steel prevailed.

The Planning Commissioners, one astute Commission-watcher noted, vote the Mayor's line on development--Transamerica, the Telegraph Hill block-buster, now the waterfront. "James Kearny is a 'labor man' and will support big construction for labor's sake. Mrs. Porter's whole life is the Commission and she will continue to do Alioto's bidding to stay there. Walter Newman is Magnin's son-in-law. And John Ritchie is Richie & Ritchie real estate."

Also, a city planner told the Guardian, members of both Planning and Port Commissions are "personal friends" and "understand each others' problems."

The deal

The latest port "deal" was set up at a recent cocktail party. SPUR secretary Ralph L. Coffman, talking to Magnin's daughter, Ellen Newman, mentioned he didn't much like Magnin's ideas for the waterfront.

Mrs. Newman agreed that more protection for open space and public access ought to be guaranteed. They told Magnin, who was also at the party, of their objections. He replied he, too, wanted open space and air rights guaranteed. He was willing to trade them for the U.S. Steel building.

But the terms of Magnin's "deal" with SPUR include no provision for open space and make U.S. Steel the arbiter of our air rights. (U.S. Steel will buy the air rights from the City for a nominal fee, then put them in public trust under the "pretext" of protecting its view and restricting competition. This is necessary, John Jacobs explained to the Guardian, to make the "sale" legal.)

The "deal", in essence, would provide a double security on the 40-foot zoning already approved by the Planning Commission for the area north of Broadway. SPUR isn't guaranteeing anything new, merely making sure city officials obey their own rules.

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Trading state redwood parks for federal beaches in California it's a 'figment of Reagan's imagination'

By Tiffin Patrick

WASHINGTON--The long-proclaimed trade of state redwood parks for federal beachlands in California has turned out to be another figment of the Reagan administration's imagination.

Since the outset of the controversy he created three years ago, Gov. Reagan has steadfastly proclaimed that the state shouldn't give up Prairie Creek, state parks to the federal government "for nothing".

The three parks are scheduled for absorption in the 58,000-acre Redwood National Park that Congress has created on the state's north coast. The Reagan administration has assiduously cultivated the impression that it is using the three state parks as a lever to obtain exchange of beach lands owned by the federal government along the California coast.

Pressure building

Under pressure from State Park Director William Penn Mott, Reagan demanded in 1968 the shoreline area revert to California for use as a state park. At that time, the largest chunk of the proposed exchange, near San Clemente, was under control of the U.S. Marine Corps. It still is.

The Marine Corps won't give up the land without a fight. Says Georg Treichel, a member of the State's Marine Resources Commission, the Corps "will present 800 reasons why the western edge of America will drop off into the sea if that land becomes a state park."

Less than two months ago, State Resources Director Norman (Ike) Livermore declared in Sacramento that "the pressure is steadily building on the Department of Defense" for the exchange.

Walter Point, director of installations for the Defense Department, noted that the legislation which created the redwoods park did not even permit a trade of lands.

"A lot of people have misinterpreted this," Point added.

The "misinterpretation," of course, stems from consistent Reagan administration declarations that negotiations were proceeding on a swap of state and federal lands. If California does not get the beach land for State Parks, it can still prevent the federal government from absorbing Prairie Creek, Jedediah Smith and Del Norte state parks into the Redwood National Park.

Either way, the redwoods will be preserved. But the fact is Reagan has promised the state new public beach land that he cannot deliver.

In addition, negotiations for smaller parts of the exchange have collapsed. The federal government has told the state that some 600 acres of Marin headlands near Forts Berry, Baker and Cronkite would have to be bought, not traded, according to provisions of the Federal Property Act.

Other negotiations, for beach lands at Fort Ord, have broken down. Point said the fort's rifle range is aimed over the beaches and that it would take "millions of dollars to reorient them."

The only federal land that has passed to the state supposedly "in exchange" for the state parks is a mile and a half long strip of beach south of the San Onofre power plant near Camp Pendleton. This was offered on a 35-year lease under which the federal government reserves the right to reclaim it any time for defense purposes.

No pressure

Interior Department officials confirmed Point's point that the federal government could not be pressured by the state to exchange land that it lawfully must sell. Larry Stevens, associate director of the department's Bureau of Outdoor Recreation, and Fred Jones, another Interior official who was state director of parks and recreation under Gov. Brown, also conveyed the impression that the federal government couldn't care less whether the title to the three state parks is immediately transferred.

"That will come in time anyway," said Jones, "In the meantime, the trees are there."

In Sacramento, a Reagan administration official conceded that the parks-for-beaches exchange really didn't exist.

"The term exchange has been used fairly liberally," said Ford B. Ford, assistant director under Livermore.

That's about the politest thing anyone could say under the circumstances.

Conservationists who want an environmentally-suitable alternative to the State Water Pro-

ject could do worse than keep their eye on a proposal by Rep. Craig Hosmer (R-Long Beach) for a \$2.18 million study by the Bureau of Reclamation on an undersea tube that would transfer water from the mouth of the Eel River or another North Coast stream to Southern California. The plan, brainchild of former congressman and now Lt. Gov. Ed Reinecke, would require a dam of some sort to form a catchbasin, but it apparently would be much nearer the mouth of the Eel than the expensive and potentially disastrous high dam proposed at Dos Rios.

The bureau proposed the extended study, which would take at least five years, after a "pre-reconnaissance" survey indicated the idea was feasible. While no funds for the plan are specifically included in the Nixon administration budget, Hosmer says he'll push for the study during the present congressional session.

Rep. Pete McCloskey (R-Woodside) has received a lukewarm response from the Republican leadership toward a privately-circulated proposal that the GOP make the congressional seniority system an issue in this year's elections. But younger Republican House members are enthusiastic, for what that's worth.

McCloskey argued in letters to Party Chairman Rogers C.B. Morton and House Leader Gerald Ford that the seniority system was "indefensible" in terms of free enterprise principles and was poor politics as well.

"The average age of the presidents of the 25 largest corporations in America is 57," McCloskey wrote his party's leaders. "The average age of the most powerful committee chairmen in the House is well over 70, and three committee chairmen will be in their 80's this year."

Rep. Phillip Burton (D-San Francisco) is privately blamed by supporters of Rep. John V. Tunney (D-Riverside) for a hastily-produced pamphlet that compares Tunney's record unfavorably to the record of Rep. George Brown Jr. (D-Monterey Park). Tunney and Brown are vying in the Democratic primary for the right to challenge Republican George Murphy for a U.S. Senate seat.

The anti-Tunney sheet is put out by the Southern California chapter of the Americans for Democratic Action, an organization whose national group gave both Brown and Tunney high marks in recent ratings. Ironically, Brown has the best score (25) of any Democrat in the state in the recent ratings by the conservative Americans for Constitutional Action, while Tunney has a zero score on this index.

So much for ratings....California congressmen from both sides of the aisle are expressing increasing concern about the state's over-dependence on defense and aero-space contracts. Latest to express their concern are Democratic Sen. Alan Cranston and Rep. Charles S. Gubser (R-Gilroy).

Hetch Hetchy

- continued from page 7

the State PUC public hearings.

The city, according to Moore, expects to gradually turn the industrial customers back to PG&E over the next few years. Demand for power in the Turlock and Modesto Irrigation Districts, which the city considers its prime customers, is growing so rapidly that, by about 1974, they will be able to take all the available output from Hetch Hetchy. No doubt, PG&E will breathe easier. The loss of some of its industrial accounts would have been only temporary. The loss of its San Francisco distribution system would have been forever.

"Power bank"

The Raker Act says: "...the grantee (SF) is prohibited from ever selling or letting to any corporation or individual, except a municipality or municipal water district or irrigation district, the right to sell or sublet the water or electric energy..."

It was on the basis of this restriction that the U.S. Supreme Court, in 1940, invalidated the 1925 sweetheart contract between the city and PG&E. Nevertheless, some Hetch Hetchy power still passes regularly into the PG&E system, and is retailed to PG&E's customers. Unlike the

earlier arrangement, this one at least has the wary approval of the U.S. Interior Department.

Since Hetch Hetchy is exclusively a hydroelectric system, with no steam plants to back up the system's output variations, problems arise at the production end.

Annually, during the late winter months, it is necessary to lower the levels in the Hetch Hetchy reservoirs to anticipate the spring thaw. In February, March and April, Moore told me, the snow pack on the Hetch Hetchy watershed is measured. An estimate is then made, usually accurate to within 5%, of the volume of water that will flow into the reservoirs during the thaw.

An amount of water equal to that expected from the thaw is then let out of the reservoirs.

If this were not done, the added water from the run-off would spill over the tops of the dams and by-pass the powerhouses. By lowering the reservoirs in advance, the city can put all the water through the powerhouses to generate electricity.

While the reservoirs are being lowered, the generators run day and night. However, the city's regular customers cannot use this sudden surge of extra power; their needs are fairly steady over the year.

Through a letter agreement

in 1960, the city arranged to transfer the extra power to PG&E. Since PG&E has a lot of steam generating capacity, the hydro power is readily absorbed into the PG&E system. All the company must do to accommodate this surge of hydro power is to throttle down some of its steam plants. During these periods, Hetch Hetchy power is sold by PG&E to its customers, including the people of San Francisco.

During late summer, when the run-off is essentially completed and the reservoirs again are filled, the city faces a different problem. It must now regulate the water flow through the powerhouses to conserve water for city and irrigation needs, and to prepare for a possible dry spell the next year. PG&E then cranks up its steam plants to pay back the electricity it got from the city during the late winter and spring.

Examination of Hetch Hetchy's annual report shows that, while the "deposits" and "withdrawals" from PG&E's "power bank" do not balance well in a given fiscal year, they do come out better over a six year period. But unlike regular banking, the city does not earn "interest" on its "deposits" with PG&E. PG&E, after all, makes a substantial profit on the power it "borrows" from Hetch Hetchy--more money than the city can make on its power sales.

This is another instance how San Francisco's failure to obtain its own city retail distribution system has hurt the city and benefitted PG&E. Had the city bought out PG&E, in all probability it would have built its own steam plants with its own

earnings long ago--just as other public hydro systems have done--to smooth out yearly production at the maximum levels.

Hetch Hetchy profits

The Raker Act recognizes the prior claims of the Turlock/Modesto Irrigation districts and stipulates the city must provide at cost whatever power the districts need for irrigation and municipal services. This amounts to only a small portion of the total delivered to the districts. San Francisco's "problem" has allowed the districts to reap a windfall--an abundance of cheap

electricity for general distribution to houses, businesses and industries.

In the 1967-68 period, the two districts sold to their residents about 1 billion kilowatt-hours of electricity annually (80% from Hetch Hetchy). From this, they grossed \$13.6 million and cleared \$5.4 million. In the same period, San Francisco grossed \$12.8 million from Hetch Hetchy power, but it had to sell twice as much electricity--2 billion kilowatt-hours, Hetch Hetchy's capacity--to do it. City profits from electricity sales were less than \$4 million.

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Comparing Hetch Hetchy profits

San Francisco generates 2 billion kilowatt-hours of power a year at Hetch Hetchy, sells it to SF municipal services, out-of-town chemical plants and the Turlock and Modesto Irrigation Districts. But not to San Franciscans.

San Francisco's 1967-68 power earnings:

gross	\$12.8 million
net	\$4.0 million

The Irrigation Districts retail 1 billion kilowatt-hours of electricity (most of it from San Francisco) to their residents.

Irrigation Districts' 1967-68 power earnings:

gross	\$13.6 million
net	\$5.4 million

Conclusion: The Turlock and Modesto Irrigation Districts make \$1.4 million more a year than San Francisco on half the amount of power. The point: The Districts do it by retailing the cheap public power which San Francisco sells wholesale to them. This is the same public power which San Francisco refuses to sell to its own citizens.

The BAAPCD smokescreen protects industrial

- continued from page 1

make the regulations are 12 elected politicians, one supervisor and one city councilman from each of six Bay Area counties. All but one are businessmen. None are experts on air pollution.

In 1969, the Directors spent much of their monthly meetings discussing automobile controls, which are not in their jurisdiction, while angry citizens fidgeted with picket signs and waited to testify about obnoxious odors, the need for stronger regulations and the disclosure of major polluters.

For advice in making new regulations, the Directors appoint an Advisory Council of 20 citizens who are supposed to be experts on air pollution and also representative of all segments of the community.

But over a third of these Advisory members have direct connections with polluting industries while the conservation community is barely represented.

Three Council members even have direct ties with the Bay Area League of Industrial Associations (BALIA), industry's lobby.

BALIA's current series of six slick advertisements, via Kenyon & Eckhardt advertising agency, emphasizes that "It all started with Adam," featuring the picture of a discarded apple, "Pollution is a people problem" and "Industry still delivers the goods... plus one more thing--cleaner air."

The small print at the bottom of each ad says, "Presented in the public interest by the Bay Area League of Industrial Associations."

But the small print does not say that BALIA is a pollution lobby composed of members like Standard Oil (which spews rotten sulfur fumes over Richmond), Pacific States Steel (which poisoned the air with fluorides for 10 years before the District forced it to stop), Owens Corning Fiberglas (subject of a \$1 million pollution suit from Citizens Against Air Pollution, a militant conservation group, in 1968) and PG&E (which contributes 19% of all the yellow-brown nitrogen oxides in the air).

Nor did it add that BALIA and predecessor lobby groups have been a major influence

on the BAAPCD since its inception in 1955--as well as on the 1955 state law setting up for the BAAPCD.

"We feel responsible for the development of the District," BALIA's executive vice-president Eveleth Hayden told me.

Hayden explained that BALIA, with offices in Oakland, spends some time on water pollution and other lobbying, but its main effort is devoted to air pollution.

Lobby payroll

BALIA has even hired a member of the BAAPCD Advisory Council, Joseph Coons, as a consultant. Last April Coons represented BALIA before the state Air Resources Board when it discussed the new air quality standards that the BAAPCD doesn't meet.

Coons put forth the industry line that the state, as his formal statement put it, "must consider all factors relevant to the problem and not health factors alone".

Coons is an astonishing example of the intimacy between the BAAPCD and industry. In the past 10 years, he has shuffled back and forth from BAAPCD, industries, BALIA and (on BALIA's recommendation) the BAAPCD Advisory Council.

In 1960, Coons was appointed the first BAAPCD enforcement officer. When he left in 1964, industry welcomed him as a private air pollution consultant.

One of his important consulting jobs for BALIA, Coons told me, dealt with BALIA's position on the BAAPCD's proposed Regulation 3 (organic compounds.)

Recalled Coons: "I think that was before I was appointed to the Advisory Council--because Regulation 3 was adopted in 1966 and I was appointed to the Council in 1967. Maybe there was some overlap."

Even after his Council appointment, Coons has continued to work for BALIA--"I'm in touch with them all the time," he said.

Conflict of interest

Was this a conflict of interest? "No," he replied. "The purpose of the Advisory Council is to be representative of a wide range of interests. There's no more conflict of interest than a health officer on the Council trying to sell some health program."

After our telephone conversation, Coons called back to reassure the Guardian that, while most of his consulting work is for industry, "less than 20% is for industry in the Bay area." Coons is also an ex-officio member of BALIA's Air Resources Committee.

When the BAAPCD Advisory Council divides into subcommittees to consider new regulations, BALIA's Air Resources Committee, manned by representatives of major polluting industries such as oil, steel and cement, divides into parallel subcommittees to present industry's platform to the Council.

The Advisory Council has no official power, but its recommendations are almost always accepted by the Directors without change and thus, its basic industrial bias is profoundly influential on the BAAPCD.

Two other Council members have direct ties with BALIA.

Charles Graham, a Dow Chemical senior engineer, serves on BALIA's Air Resources Committee. At the Feb. 11 Advisory Council subcommittee meeting, Graham argued that proposed new sulfur dioxide regulations were too strict. "We should look at this as a startling number," he said of the staff's proposed limit.

Dr. Theodore Cleveland served on a similar committee of the Inter-Association Industrial League (an earlier name for BALIA) in 1965 before he retired as vice-president of Philadelphia Quartz Co. of Berkeley. He was on the Advisory Council at the time.

Cleveland and Coons, Hayden told me, were suggested for the Advisory Council by BALIA. "It's the responsible part of industry to get capable people into these assignments," he added.

Two other council members have ties with the Dirty Eleven. John Canevari is a former sales manager for Standard Oil, and Robert W. Severns, now a production manager for Agri-form International Chemical Co. in Newark, is a former chief engineer for Owens Corning Fiberglas.

Airlines, a significant source of pollution, are represented by

Ralph Glasson, a vice president of United Airlines. In a recent Advisory Council meeting, Glasson acted as an apologist for jet pollution and showed a sales movie of the Boeing 747.

Elmer Robinson of the Advisory Council is a senior meteorologist and Chairman on leave of Environmental Research at Stanford Research Institute. His work consists mainly of contract research on air pollution for government and industry. Recent clients include PG&E and American Petroleum Institute.

The 1955 BAAPCD law specified that the Board-appointed Advisory Council members be "preferably skilled and expert in the field of air pollution."

But it also specified 10 kinds of occupations (ranging from architecture to industry) that must have at least one representative among the 20 members.

Joe Blow

In following the law, the Directors have appointed only one representative to fill most occupational slots, and industry and business fill almost all the extra spaces.

And the Board hasn't seen fit to add any categories of its own except that of fire chief. (See list p. 19) There are no members from minority groups,

Know your local polluter

The Dirty Eleven, the Bay Area's worst industrial polluters, were not publicly identified by the BAAPCD. Nor the list was compiled by the Citizens Against Air Pollution, a militant Santa Clara County group headed by Peter Venuto, and brought before the board in December as an embarrassing public challenge.

"These 11 firms," the BAAPCD softpedaled in a written reply, "emit 3.7 per cent of the total quantity of air pollution going into the Bay Area atmosphere." The board sought to discredit Venuto and minimize his Dirty Eleven, but it accidentally proved Venuto's point--a few big and powerful firms are responsible for an astonishingly large portion of all industrial pollution.

For that 3.7 per cent amounts to a whopping 350 tons per day, more than one third of all industrial pollution. And industrial pollution is proportionately much more serious than pollution from other sources. (See Citizen's Guide to Air Pollution.)

These 11 plants, by their size and the kind of pollutant emitted, are probably the area's largest polluters. But only the BAAPCD knows for sure, and its Directors on Feb. 18 voted not to disclose the names of the largest polluters and the amounts of each contaminant each puts out--the bare necessities for effective political action for cleaner air.

Director Robert St. Clair won a "compromise" that offers full information on violators only. He argued: "Violators are the main reason for this controversy. Why go to the additional trouble to list every company that has emissions which are within the regulations?"

Why, indeed? Precisely because the shocking 350 tons are perfectly legal according to present lax BAAPCD regulations.

Are industries and the BAAPCD both afraid that the facts of pollution will set off tremendous public pressure for tighter regulations and tougher enforcement?

The Dirty Eleven:

1. Standard Oil Co., Richmond
 2. Shell Oil Co., Martinez
 3. Phillips Petroleum Co., Avon
 4. Pacific States Steel Co., Union City
 5. Owens-Corning Fiberglas Co., Santa Clara
 6. Ideal Cement Co., Redwood City
 7. Permanente Cement Co., Permanente
 8. Pacific Gas and Electric Co., 10 Bay area plants
 9. Chevron Chemical Co., Ortho Div., Richmond
 10. Industrial Chemical Co., Allied Chemical Div., Richmond
 11. FMC Chemical Co., Newark
- * American Smelting and Refining Co., Selby
* C & H Sugar Co., Crockett

+ Not on list submitted to BAAPCD by Citizens Against Air Pollution, but suggested as major polluters by other sources.

* On the CAAP list of polluters that the BAAPCD admits contribute 350 tons per day, but suggested as less important than the above.

How to detect hot air from industry a citizen's guide to

"Only 11% of today's air pollutants are caused by industry. The point is, air pollution is a people problem." (From a Feb. 13 full-page Chronicle ad, one of a series in a \$150,000 ad campaign, sponsored by the Bay Area League of Industrial Associations, the lobbyist for the Bay area's major polluters.)

"Air pollution is caused by people." (From a BAAPCD information booklet, which graphs industrial pollution at only 11%.)

The BAAPCD claims industry produces only 11% of the area's air pollution, while the automobile, which it has no power to regulate, produces 71%.

Pollution, in tons per day	Total	Industry	Percentage of Industrial Pollution	Cars (regulated by state Air Resource Board)	Total (under BAAPCD jurisdiction)	Other (under BAAPCD jurisdiction)*
Carbon monoxide	5,616	15	.2%	5,323	293	278
Oxides of Nitrogen	598	203	34%	335	263	60
Organics	1,678	361	22%	1,028	650	289
Sulfur Oxides	443	406	92%	21	422	16
Particulates	178	88	49%	40	138	50
Total Tons/Day	8,513	1,073	12.5%**	6,745	1,764	694

Industry's total (excluding carbon monoxide) 1,058

Industry's total percentage (excluding carbon monoxide) 54 %

Statistics from BAAPCD figures on air pollution 1963, minus 960 tons per day that the BAAPCD excluded by the Jan. 1, 1970 ban on backyard burning. Included 657 tons of carbon monoxide and 694 tons of other pollutants. All figures rounded off to the nearest whole ton.

Industrial polluters and camouflages their smog

the poor or communities, like Standard Oil's North Richmond, that live under the stacks of polluting industries. Director Morton Podolsky explained to me that such citizens probably don't have the background required to be technical experts. Added the Belmont pediatrician, "I can't see how Joe Blow can be in an advisory position."

However, the Board does appoint businessmen like papercup manufacturer Peter Hunt who cheerfully admits, as he did to me, he knew nothing about air pollution when he was appointed.

Hayden freely admitted to me that BALIA proposed Council members, supported others and said that, until recent citizen pressure prompted the appointment of Mrs. David Wendel, Piedmont, a League of Women Voters official, "no one else did it."

Ordinarily, the Advisory Council takes months to act on an issue because it usually has to get drafts and information from the staff, and the staff usually has to get more information from industry.

At a January 21 meeting on new particulate regulations, for instance, Callaghan presented the Advisory Council subcommittee with an impressive looking 24 page technical report on

"Detail Background Information". But he quickly explained that the information was incomplete and only industry could fill the gaps.

Frank Raggon, engineer for Owens Illinois and chairman of BALIA's steering committee, spoke up for the industries in the audience and promised they would try to produce some information within a few weeks, although he couldn't say exactly when. The subcommittee, chaired by Mrs. Wendel, who describes herself as a "dedicated ecologist," was helpless to discuss the regulation further. The meeting adjourned abruptly.

Citizen's arrest

In contrast to industry's easy access to the BAAPCD, some citizens with pollution complaints have met harassment and frustration.

Mrs. Katherine Lord, founder of Point Richmond's Stop Smog Committee, describes the sulfurous fumes that blow over her community in the fall from Standard Oil and affiliate chemical plants as a "really obnoxious stench, like an open sewer pipe that permeates the house even if you close all the windows."

She began complaining to the BAAPCD as soon as she moved to Point Richmond in

1965. At the BAAPCD staff's suggestion, she submitted a petition with many more than the total of 40 the staff suggested. Despite repeated phone calls, Mrs. Lord claims, she didn't get an answer until 1969—four years later.

That answer, dated 1967, was a technical discussion, not the report on causes of the stench or plans to correct it that Mrs. Lord expected.

Refinery fumes reach well-to-do Point Richmond only with the fall westerly winds. But they hang continually over the poor black community of North Richmond, situated next to the refineries and chemical plants. Ralph Warner, Contra Costa Legal Services lawyer, says that on bad days "people don't send kids out to play" and that the "asthma and emphysema rate may be higher" there.

The BAAPCD, Warner charges, intimidated some of his North Richmond clients by its inept handling of a petition they submitted in December. The petition, signed by 60 North Richmond residents, demanded "equal rights to clean air."

In its report to the Directors on the petition, the staff sought to discredit the petition and claimed several petitioners had asked to have their names removed.

Warner explained that when BAAPCD inspectors "went into the low income area and knocked on people's doors" some petition signers didn't understand the identity of the inspectors. Some even told him later that they thought the inspectors were from Standard Oil.

Warner told me that, as the petitioners' clearly identified lawyer, he should have been contacted before the BAAPCD approached his clients.

David Hipolito of Point Richmond tried to get the BAAPCD's attention with everything from a citizen's arrest of offering a 1,000 signature petition. The incident: the night of Oct. 30, 1967 when Ortho Chemical inundated the entire point area with heavy white fumes.

The plant foreman admitted a breakdown and promised to close down the plant, but did not. Furious, Hipolito enlisted a policeman's help in an attempt to make a citizen's arrest.

But Callaghan later told Hipolito that the policeman's evidence was worthless. Instead, said Callaghan, 1000 of Point Richmond's 2000 residents would have to sign individual depositions in the District's SF office.

Bottleneck

BAAPCD public information officer, Ted McHugh, told me why the District encourages petitions. The 1955 law, he explained, has a "nuisance clause" permitting the District to take action against any unregulated source of pollution that damages property or annoys "a considerable number of people". Petitions from "a considerable number" give the BAAPCD a legal basis for action.

The District's reaction to petitioners suggests it uses the petitions merely as a delaying tactic to divert attention from

the fact that its own regulations aren't strong enough.

Limitations of sulfur compounds, for instance, are so feeble that those gases are guaranteed to seriously annoy residents of Contra Costa County which has five major oil refineries and associated chemical and scavenger plants.

Emission limits on sulfur dioxide, the open sewer smell, are set at five times the "odor threshold." There are no limits at all on hydrogen sulfide, the rotten egg smell. Scavenger plants, which leak sulfuric acid mist as they process sulfur wastes from oil refineries, are largely exempt from regulations.

The BAAPCD may adopt tighter regulations to eliminate these problems to meet new state air quality standards—if the regulations ever emerge from the bottleneck of staff/council/industry/board meetings.

Weak regulations

Since everybody knows current regulations allow these obnoxious sulfide smells, I asked Callaghan why the BAAPCD hadn't adopted tighter regulations long before the state required it to.

"In the last eight months or year," he answered, "there has been a great (public) move toward control of air pollution. We didn't have too many problems before."

The 12 Directors who make the regulations are not experts on air pollution. With one exception, they are all businessmen or retired businessmen. (See chart p. 19).

Director Robert Hoyer is an assistant to the president at Leslie Foods, a subsidiary of Leslie Salt—a major polluter.

Until recently, the only political pressure on the Directors was from industry. Thus the Directors find it convenient to use misleading statistics publicized by their staff as an excuse to talk about automobiles,

which are not in their jurisdiction, instead of industry, which they are supposed to regulate.

The staff's claim that the automobile produces 71% of the area's pollution is true only in terms of gross tonnage; in terms of irritating effect, industry is responsible for 54%. (See Chart.)

At each monthly meeting from October to January, the Directors devoted substantial session time to discussions of automobiles while more controversial matters of industry regulation and citizen testimony were pushed to the end of the schedule.

Fifty minutes of the board's 2 1/2 hour meeting Jan. 7 went to presentations from auto manufacturers—so much time that Callaghan said he had to abbreviate his report to the Directors on Katherine Lord's and Ralph Warner's petitions.

When Warner finally got the chance to speak, he exploded: "This is the silliest meeting I've ever been to!" Amidst audience applause, gaveled down by chairman Laurence Kelly, Warren accused the Directors of "self-serving talk about automobiles" and pleaded, "Why are we begging you to do something?"

To an outraged audience, Directors William Blake, Robert St. Clair and Peter Tamaras quoted the staff's misleading statistics to justify the auto discussions.

St. Clair criticized auto manufacturers' predictions that it would take 4 to 5 years to get "clean" cars. Tamaras added, "We have known all along that autos are the major source of pollution. We don't think the public will stand to wait for 4 or 5 years. This is an extreme emergency."

But the BAAPCD itself is planning to wait 4 or 5 years before forcing industry to tighten up on certain emissions. Under present BAAPCD regulations,

- continued on page 19

From industry and BAAPCD -- de to air pollution

But the 11% figure is highly misleading. When total tons of pollution are broken down by the five major categories, industry is responsible for substantial amounts of the 4 pollutants you can see or smell—as much as 92% of sulfur oxides and 49% of particulates.

The fifth major pollutant, carbon monoxide, is odorless, invisible and harmless at present levels. And most of it comes from cars. Industry's contribution seems low only when carbon monoxide and other pollutants are lumped together. Industry's pollution total, excluding carbon monoxide actually amounts to 54%.

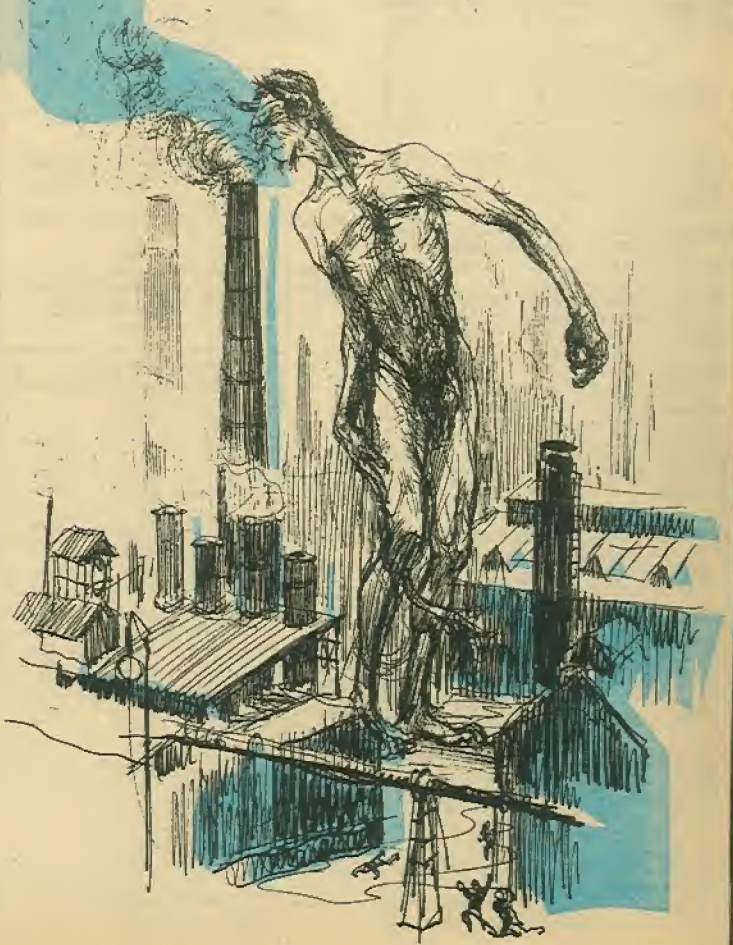
The facts about the five major Bay Area pollutants:

er er PCD edic-)*	
78	Much of the 71% of air pollution that cars produce is carbon monoxide. But carbon monoxide is invisible and odorless and current emissions in the Bay Area are well within state health-based standards. It's also irrelevant because the BAAPCD has no jurisdiction over cars.
60	The whiskey brown haze you see is nitrogen dioxide. And eye-irritating oxidant, or what the BAAPCD calls smog, is produced when oxides of nitrogen and organic compounds get together under the ultraviolet rays of the sun. When conditions are right, usually in the summer, a photochemical reaction occurs to produce smog. The BAAPCD has no regulations on oxides of nitrogen although current emissions exceed state health-based standards.
89	
16	These obnoxious, rotten-smelling substances are 92% the responsibility of the BAAPCD. Most come from oil refineries and associated plants in Contra Costa County. The odor threshold for sulfur dioxide is .04 parts per million parts of air; BAAPCD regulations allow five times that much.
50	Ever wonder why visibility is often poor even when the BAAPCD says smog levels are low? That's because the BAAPCD defines smog only as oxidant (see above) but particulates—tiny particles of solid matter—also reduce visibility. This category also includes larger particles that fall quickly to the earth as gritty dust and extremely tiny particles that are invisible but may carry diseases straight into your lungs. Current particulate emissions exceed state standards.
94	

es on air pollution in the Bay Area in that the BAAPCD says are removed backyard burning. The 960 tons in-nitrogen and 276 tons of organics. nearest whole number.

*Includes commercial, agricultural burning, ships, airplanes, etc.

**Was 11% in 1968.



Calling it quits

By Douglas Giebel

"All we need is patience and forbearance." -- Stanley Eichelbaum on the state of the theatre (S.F. Examiner, Jan. 4, '70).

Serious artistic theatre in San Francisco is calling it quits.

In the past year, little theatres--signposts of creative health, experiment and intelligence--have succumbed to inflation, high rents, a dying audience and lack of talent and leadership.

The Interplayers, after valiant attempts and improved playing, has skipped town without paying its bills. In Marin, the long-established Festival Theatre shakes with confusion and despair. The Playhouse has

retreated to Lone Mountain and gives an occasional performance under the watchful eye of The Church (far from 1963, when Herb Blau termed this group "an exemplary little theatre...with a faithful audience for an admirable repertoire...").

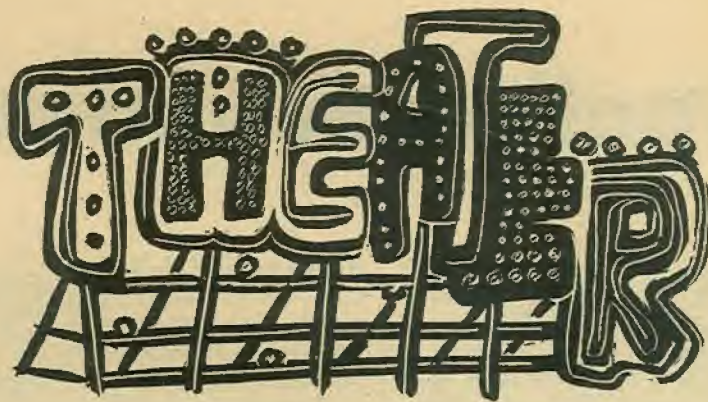
Potrero Hill's Julian Theatre, one of the few remaining outlets for fledgling directors, stumbles along beneath the weight of good intentions, inexperience and short rehearsals.

The Mime Troupe survives, mired in didactic political rhetoric, wasting well-trained and devoted actors in comic strip stereotype, the full potential of drama forgotten in a desperate desire to bring The Word.

Now, even some ACT officials refuse to deny vehemently the rumor that our big resident-professional company is on its last legs, in a state of chaos brought on by million-dollar budgets needed to satiate William Ball's grandiose dreams for regional theatre.

ACT's problems are largely internal. Its concept is noble, but the company has drained local funding sources, extended its repertory far beyond our theater-going base and gambled all on Ball's unique talents. Bickering and personality conflicts have wrenched the company for months, disillusioned local performers and sent some of ACT's best talent scurrying elsewhere.

Its reservoir of community



goodwill is going--just as it did in Milwaukee and Pittsburgh, Ball's previous layovers when similar problems arose. The excuse is the same: San Francisco/Pittsburgh/Milwaukee just is too provincial to finance and support Ball's style of theater.

The Milwaukee Journal published some of Ball's shenanigans with the Miller theatre in the early 1960's including an attempt to grab control of the community theatre with two friendly women board members. Ball exploded and told a Journal reporter: "It is impossible for culture and the Milwaukee Journal to coexist in the same community."

Last year, a class of some 25 ACT summer school students, led by a priest and including several older local high school teachers, signed a strongly worded petition condemning Ball's training program as misleading and inadequate. They were prevented from even seeing Ball by then Conservatory Director Robert Goldsby.

Ball's training school idea should have been scrapped on artistic ground--lucrative though it was. His repertory should have been smaller, giving actors and directors more time to prepare quality productions.

Actor Barry MacGregor was fired last summer for criticizing Ball's artistic management. MacGregor, incensed, tried to air his story, but the critic/press agents on both dailies cold-shouldered him. They've been too busy promoting ACT to analyze or criticize its many financial/artistic/management problems and only Grover Sales, San Francisco Magazine's tart critic, has regularly penetrated this protective mantle.

Chronic failure

The new Ensemble company at Playland is symptomatic of little theatre's chronic problems. Inflated with a well-publicized sense of purpose, The Ensemble has skillfully renovated a building, installed a fancy Ticketron machine and embarked on an ambitious schedule of performances.

I recently caught this troupe's two one-act plays by a young author named Leonard Horwitz. The evening lasts about 60 minutes: top price \$3.50. Acted in the fakey style of television's "Dark Shadows," the plays go like classroom exercises: heavy on theme, light on character development, monotonous, dated. Staging was clumsy, the use of space poor.

The Ensemble has announced its intention to "establish and gel (sic) a cohesive performing ensemble," modelled after The Group Theatre of the 1930's. Despite its willingness to produce new works, despite a training program "that has grown with the company over the past year and a half," The Ensemble shows little capacity to understand basics.

As a forum for new playwrights, The Ensemble can perform a valuable service. But it has limited its flexibility with a rigid seating system, it is pricing

itself out of an audience and it simply lacks theatrical know-how.

In an unusually perceptive "Chronicle" essay (Feb. 8, 1970), Paine Knickerbocker suggests the "silent contemporary playwright" is a victim of "pollution." But the problem goes much deeper than that.

Playwrights ARE writing. But as Knickerbocker points out, audiences don't give a damn. And neither does anybody else. Playwrights and producers lack respect for their craft, and even interest in the characters they portray and the human models from whom they draw.

Lordly ACT has failed to commit itself deeply in the survival of new playwrights. The prestigious San Francisco Opera recently rejected Carlisle Floyd's "Of Mice and Men," regarded as one of the best American operas of all time.

Critics

Critics haven't been much help. We ignore small theatres where new plays are presented, forgetting that O'Neill came out of the Provincetown Playhouse, that Beckett's "Endgame" had its first American production at the miniscule Cherry Lane, that the Actor's Workshop grew up in a loft. We do not encourage talent.

Thus, a fine playwright like Ray Bruce can go almost unnoticed in San Francisco; a daily newspaper critic can tell a little theatre director he won't review his premiere by an important new European playwright because "I don't want to work this weekend."

"Little theatre" has been undersold as disreputable amateurism. But The Theatre in Berkeley meets high standards. Small playhouses flourish in the East, feeding and sustaining larger, "professional" theatres with plays, talent and ideas.

Jerzy Grotowski's Polish Laboratory Theatre in New York demonstrates that a company dedicated to truly artistic standards, intensely devoted to unity and craft through hundreds of rehearsals and willing to severely limit the size of its audience, can succeed.

Of course, Grotowski is subsidized and most American backers would refuse to go along with a small company and the tight controls this Polish genius imposes on his art. But Grotowski knows that, to move an audience conditioned by television and art-cinema, theatre must achieve an intimacy akin to that of film.

Little theatre also needs money. A central foundation must be developed to finance worthy performing projects.

The California Theatre Foundation, formed to raise funds for ACT, will probably fold if ACT disintegrates. A more broadly-based organization, firmly and sensibly managed, must be formed to keep all the performing arts alive in San Francisco, especially the small creative and experimental groups.

THE END



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When Superchron spits, city hall swims

By Bruce B. Brugmann

KRON's license renewal hearings and several unpublicized lawsuits against the Chronicle are producing a classic study in to a metropolitan media monopoly. Some major points:

1. That the Examiner and Chronicle were NOT "failing newspapers" forced to merge in a joint agreement September, 1965, to keep two "independent papers" alive.

Point: The Chronicle Publishing Co. has admitted under subpoena that in each of the years 1959 through 1964, excepting 1962 only, the Chronicle's newspaper revenues were yielding a "profit" and "a cash flow adequate to sustain newspaper operations." It then had millions in the bank (\$4.7 million in cash and \$2.4 million in certificates of deposit 60 days before the merger, according to a financial statement filed with the FCC.) It was making millions from its KRON-TV subsidiary and was preparing to embark on an ambitious program, requiring millions in reserves, to dominate Cable Television in San Francisco and Northern California.

Charles Gould, in his pre-hearing deposition, testified that he had recommended to Hearst management that the Examiner must invest \$15 million "in plant" to meet the Chronicle's challenge. Part of the challenge was the Chronicle's ability, through its KRON profits, to keep advertising rates artificially low and to buy up expensive suburban circulation—two of several points the Ex could have sought to correct with antitrust suit. It did make some antitrust threats.

Point: Why should a profitable Chronicle agree to merge with its bitter rival, not to wait for Hearst to fold and grab the entire market? Reason: Hearst would not have folded. It could have sued on antitrust grounds, put in more money from its New York

parent or sold out. The purpose of the agreement was not to avoid monopoly, but to avoid competition.

2. That the Chronicle Publishing Co. was able to establish its media monopoly through strategic government subsidies and help.

Point: A government franchise, KRON, gave the Chronicle the profits it needed to drive the Examiner to the wall and destroy newspaper competition; The Justice Department refused to prosecute the 1965 merger.

The City of San Francisco, despite an antitrust suit threat from then private attorney Joseph Alioto, awarded a local Cable Television Franchise to Western Communications, Inc., a Chronicle subsidiary, over several other bidders.

The supervisors vote: 10-0, with Supervisor Terry Francois and then Supervisor George Moscone carrying the big spears for the Chronicle. (Both, incidentally, were called by KRON as friendly witnesses in the hearings.)

The key Chronicle feature in the bid was a joint venture between the Chronicle and Westinghouse (Channel 5), a proposal which should have set off alarms all over town. This joint venture would be to cable TV competition what the joint agency agreement was to newspaper competition in San Francisco.

Point: Alioto, through Atty. Henry W. Howard, president of a CATV competitor, Better Television, Inc., sent a bristling telegram to the board the day it was to decide who would get the franchise. He said he would sue both parties and join the city in a monopoly antitrust suit. The joint venture, Alioto said:

"constitutes a violation of the antitrust laws of the U.S. and of the State of California as an additional means in a continuing plan to monopolize the communications industry in the

Bay Area in terms of newspapers, television and now CATV.

"We also strenuously object on the ground that the Westinghouse Co. has recently been convicted as a major participant in a conspiracy to rig bids which resulted in damage in excess of \$1 million to the City and County of San Francisco and that it should now be rewarded for this activity is incredible."

(The proposed Chronicle/Western/Westinghouse agreement said the three parties were "confident that there are no violations of the antitrust law and that...the City and County of San Francisco...should be indemnified...and defended in regard to any such action...")

Point: The last clause was apparently enough for the city attorney's office. It raised not a murmur and the board unanimously approved KRON's franchise. The antitrust threat didn't scare City Hall, but it did scare Westinghouse: a month later, Westinghouse decided against entering the joint venture and KRON dutifully notified city hall it was the lone holder of the franchise.

Thus, by action of the San Francisco Board of Supervisors, the Chronicle put the marachino cherry on about the most concentrated and powerful local media monopoly pyramid in the U.S. (excepting, perhaps, the Mormon church media monopoly in Salt Lake City).

Point: The day after the board's vote, The Chronicle noted the event in a four paragraph story on page four. It didn't mention Alioto's telegram. The Examiner, the "competitive" paper, didn't mention the story at all. It is interesting to speculate, now that Alioto is mayor, how much his good Ex/Chron press coverage comes from the time bomb effect of that antitrust threat.

The Ex/Chron did little with the Washington "fee-sharing" story until Wallace Turner broke it nationally in the New York Times and the Oakland Tribune put local steam beneath it. The Chronicle's Bill Thomas and Charles Raudebaugh investigated Alioto for months, ala the Look Magazine Mafia expose, but the Chronicle didn't run their story. This is still a mystery, but one explanation came from the deposition of George B. Leonard, Jr., Look's West Coast editor, in the Alioto libel case.

Leonard testified that, before Look published its Alioto expose, Atty. William Coblenz called him and asked if he could get Alioto together with Look editors. Coblenz, the Ted Sorenson of Alioto's regime, told Leonard the Chronicle had earlier done an Alioto story, but that it hadn't published the story after he (Coblenz) had gotten Alioto together with Scott Newhall, the Chronicle's executive editor. Newhall had been persuaded the story was "inaccurate," Leonard quoted Coblenz as saying. Did the Chronicle's willingness to accept the story as "inaccurate," over the work of two of its own experienced reporters, have anything to do with Alioto's antitrust abilities?

ARTIST, ARTISAN



By Tony Rogers

Floyd Engle builds furniture custom-made to your life-style. His repertoire ranges from heavy, chunky wood furniture to glossy, "jet-set" components of painted plywood and plexiglass.

Making furniture isn't Engle's "business;" it's a combination of art and psychoanalysis. Before he begins designing, the 33-year-old artisan talks at length with his customer to find out what he needs and where he's at. "From the way he dresses and talks," Engle says, "you know intuitively what kind of person he is."

Engle recently began experimenting with 16-inch cube components (see photo): two or three make a coffee table, more make bookcases and room dividers. Some components house light sources, others have hidden compartments and recesses for flowers and personal objects.

But the components are bet-

ter suited to mass production techniques; they require a heavy investment in tools, polishing machinery and paint spraying equipment. With enough orders, Engle would commission the parts, then design and assemble them at his shop.

He prefers "ordinary materials," more "sympathetic to hand work": Douglas fir, a durable, common wood and Redwood, costly but beautiful.

Engle came to San Francisco after studying architecture at Harvard and North Carolina State College.

At his home/shop at 4763 18th St., he works slowly and carefully; a job may take a week or a month, depending on the specified finishing and detail. People sometimes complain he takes too long, Engle says, "but good furniture should last a long time—longer than its owner."

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Alioto, as mayor, could go after the Ex/Chron on antitrust grounds in the same spirit Mayor Maier went after the Milwaukee Journal/Sentinel in Milwaukee. So far, he hasn't.

Point: In any event, Look's attorneys aren't about to subpoena the records of Newhall/Melinkoff/Thomas/Raudebaugh to determine how the unpublished Chronicle story squares with the published Look story.

For the law firm defending Look and upholding the legal veracity of its story is the Chronicle's house law firm, Cooper, White and Cooper. (Raudebaugh, to keep things tidy, covers the Look episodes for the Chronicle.)

3. How in detail the Chronicle moved its monopoly ahead. First, the enormous television profits were pumped into the Chronicle, then, just months after the Justice Department accepted the Chronicle as "a fail-

ing newspaper" and approved the merger, the Chronicle moved into Cable Television in a big way.

To San Francisco, but also with 40 or so probes throughout Northern California with three special corporate fronts—to San Carlos, Walnut Creek/Concord, Truckee, Tracy, Vallejo, Daly City, Livermore, Santa Cruz, on and on. The merger freed the enormous amount of capital needed for CATV.

Point: The Chronicle has, oddly, done nothing with the San Francisco franchise that once lathered and steamed the supervisors, 10-0. No installations, not even a listing in the current phone book. What happened? The Chronicle won't say, the city attorney's office says it's not interested in what the Chronicle does with the city franchise.

THE END

The San Francisco Bay Guardian February 28, 1970 page 13

The adventures of Superchron

The March 17 FCC hearings in San Francisco will explore the following five issues. At stake is KRON's \$25 million license, the larger Superchron monopoly and nationally significant media precedents.

1. Does Chronicle Publishing have "an undue concentration of control of the media of mass communications in the Bay Area?" (Chronicle controls one of S.F.'s four VHF channels, an FM station, owns the City's only morning newspaper, which it publishes "jointly" with the only afternoon newspaper, and has a growing collection of cable television (CATV) systems in the Bay Area.)

2. Has Chronicle Publishing "engaged in anti-competitive or monopolistic practices in the newspaper field in the Bay Area?"

3. Has Chronicle Publishing "used the facilities of sta-

tions KRON-TV AND KRON-FM to 'manage' or slant the news and public affairs for the purpose of advancing" its own corporate interests?

4. At the request of Chronicle Publishing, the FCC is also to determine "whether the past programming of stations KRON-FM and KRON-TV, particularly with regard to public service programming, was of such high quality as to constitute a countervailing factor in the resolution of this case..."

5. The admitted conduct of Chronicle Publishing, through its wholly owned subsidiary, Chronicle Broadcasting Co., in hiring private detectives to investigate the two persons — Al Kihn and Blanche Streeter — who instigated the FCC proceeding by protesting the renewal of Chronicle's broadcast licenses.

A sneak preview of the FCC hearings

(Present this page at door for free admission)

Against KRON

Witnesses called by licensee challengers to testify on Issues 1-5. (Issue noted before each name.) "Expected testimony" supplied by Charles Cline Moore, attorney for the challengers, Al Kihn and Mrs. Blanche Streeter.

Many witnesses, mostly from KRON-Chron/Ex, would not discuss their testimony with Moore and have told him they will testify only if subpoenaed.

1, 2, 3, 5) **Al Kihn**, complainant, former KRON photographer, Mill Valley. Expected to testify substantially as in two FCC letters, his pre-hearing deposition & in the subpoenaed Al Kihn Diary. (See Kihn Diary, May 22, 1969 Guardian.)
3) **Robert Anderson**, former KRON documentary writer, Mill Valley. Expected to testify generally in accord with comments on tape recordings (part of Kihn's diary) heretofore furnished KRON. Expected to corroborate Kihn's version of NORAD incident. (KRON, Kihn charged, had suppressed a Kihn/Anderson story on the North American Air Defense Command in Colorado Springs. NORAD commanders, "by their own admission" do not have defense against missiles, only against obsolete manned aircraft. KRON didn't like the story & the program mgr. said: "What we want is an ending with those planes flying off into the sunset & everybody's happy.")

Expected to corroborate Kihn's charge that KRON wanted a "bland, cultural travelog show" to satisfy a sponsor, the Pacific Gas & Electric Co. Anderson, Kihn reported, objected on grounds the documentary would be no more than "picture postcards with music & a Grayline Tour narration," Anderson's ensuing conversation with the program director:

"Do I understand, then, that we are in a position where a large utility company is telling us not only what our documentary subject matter will be, but what it will include & how it will be done? This compromises not only the particular project we're working on, but also the documentary department, the station & broadcasting itself."

"Program director: "To be very blunt, that's none of your concern."

Expected to testify about a proposed Anderson documentary on Vallejo to further Chronicle CATV interests. As Anderson explained to Kihn:

"... I talked to Harold See. You know we have five cable companies, and anyway he asked me to do a show up in Vallejo, talking about what a neat place Vallejo was. So I went up and I surveyed it and I said, 'Vallejo's not that neat. In fact, there's a big scandal there and I think we ought to expose it.'"

"So he took me into his office and said, 'Look, there's a reason for it, and the reason is that we want that cable franchise.'" Anderson, Kihn wrote, wrote the the documentary the way management wanted it.

3) **Ira A. Eisenberg**, KRON documentary writer, SF. Expected to corroborate Kihn charge that Eisenberg, in a 1968 documentary about Eureka, wanted to include the point that the city was forcing small suburbs to consolidate by threatening to cut off their sewer services. The program director told Eisenberg: "We don't want to stir up the city council. Some day we might be going up there to get a CATV franchise."

3) **Larry Russell**, former KRON writer, N.Y.C. Expected to testify that KRON-TV refused to carry Subscription TV's political announcements in the months prior to the Pay/TV referendum in California. Wrote the "Portrait" series as KRON's response to Newton Minow's famous "vaste wasteland" speech in 1961 and expected to testify Program Director Robert Glassburn told him, "what we want is a nice, non-thought-provoking program."

3) **Jerry Jensen**, former KRON newscaster, now with KGO-TV, San Francisco. Expected to testify that Kihn studied television industry since 1964, that witness had knowledge of it and gave Kihn information for study. Also expected to testify about KRON-TV's lack of coverage of impending 1965 merger and limited coverage after the merger. Expected to testify a member of KRON's management denied coverage of merger to newsmen.

3) **John Chambers**, former news writer/producer, Rutherford, N.J. Expected to corroborate memorandum to Kihn on KRON's suppression of lung cancer and smoking story because of a cigarette commercial. Continued Chambers' memo: "On Friday, Feb. 7, 1964, the news director (William Cothran)

told me that the Bay Region Report was only a throw-away show. He didn't want to spend money on it, and wanted to fill it with news stories expanded from the 6:30 news."

"This to cut down costs... He said that Bay Region Report was only used as a half-hour filler to be logged as public service time in the station's application for license renewal."

3) **Donald Picken**, former KRON newsmen, address unknown. Expected to corroborate Kihn's charges that Kihn (as a KRON photographer) was instructed to cover a library opening in So. S. F. to further the Chronicle's CATV interests. Kihn said he was instructed to make the mayor prominent in the film because the Chronicle was "courting" the city for a CATV franchise.

3) **Ruth Dixon**, former KRON women's public affairs director, Orinda. Expected to corroborate Kihn's charges that KRON covered the "Chicken's Ball" in San Carlos in 1968, a new library opening in So. S.F. and a documentary in Vallejo to further the Chronicle's CATV interests.

3) **Al Berglund**, KRON documentary writer, SF. Expected to corroborate Kihn charge that Berglund was ordered by Station Mgr. Harold See to delete comments critical of advertising — because, Berglund quoted See, "only a cuckoo fouls its own nest."

3) **Ed Fleming**, former KRON newscaster, now with Bache & Co., SF. Expected to corroborate Kihn charge that KRON TV news department was forbidden in 1965 to comment on the merger, except for a "last minute statement dictated by Chronicle management."

3) **David Peoples**, former KRON writer, Berkeley. Expected to corroborate Kihn charge that Peoples quit in disgust after the half-hour news documentary he edited, on the SF State strike in December, 1968, was cancelled by management. The news staff, Kihn said, felt the real reason for the cancellation "rested in the fact that management did not like the statements of the radical strike leaders."

3) **Jeff Berner**, former Chronicle columnist of "Astronauts of Inner Space," Mill Valley. Expected to corroborate letter he wrote the FCC, asserting he had been suspended because of a column he had written criticizing violence on television. He also wrote that Charles McCabe, another Chronicle columnist, had been censored but not fired because of a McCabe column urging "citizens to contact the FCC about violence on television."

"It is part of the folklore around the newspaper that Mr. Thieriot (the Chronicle owner) does not like any criticism of the TV medium, as his principle revenues derive from that source," Berner wrote.

3) **Rollin Post**, KPIX-TV newscaster & **Louis Simon**, KPIX-TV station mgr., S.F. Expected to testify concerning scope of KPIX-TV coverage of 1965 Hearst-Chronicle merger agreement and that a Hearst executive attempted to quash reporting of the agreement.

2) **Colin Miller**, retired syndicate salesman, Berkeley. Expected to testify on monopoly feature syndicate agreements.
San Lopez, KRON-TV cameraman. Expected to testify that, in Sept. 1965, while working for a Sacramento television station, he photographed news film in the Chronicle Bldg. concerning the merger of the Chronicle & Hearst papers prior to the time the KRON-TV newsmen were allowed to cover the story.

3) **Don Zavin**, S.F. Expected to testify that "KRON, like other stations, looks at documentaries as a sop for the FCC."

1, 2) **Blanche Streeter**, complainant, former Chronicle ad saleswoman, who has sued Chronicle on antitrust grounds, S. F. Expected to testify that she & approximately 2,000 other employees of The Chronicle Publishing Company & The Hearst Corporation were fired upon consummation of the illegal merger agreement.

1, 2) **Charles L. Gould**, Publisher S. F. Examiner. Will be cross-examined on all of the details leading up to the consummation of the merger agreement between Hearst & Chronicle. Expected to testify concerning Hearst's business as owner & publisher of the S. F. Examiner & the News-Call-Bulletin papers & the reasons for entering into the joint operating agreement.

Prof. Wm. L. Rivers, Assoc. Prof. of Communications, Stanford U. & **Wm. J. Farson**, Exec. V. P. American Newspaper Guild. Expected to testify substantially in accord with their Senate testimony against joint agency monopolies.

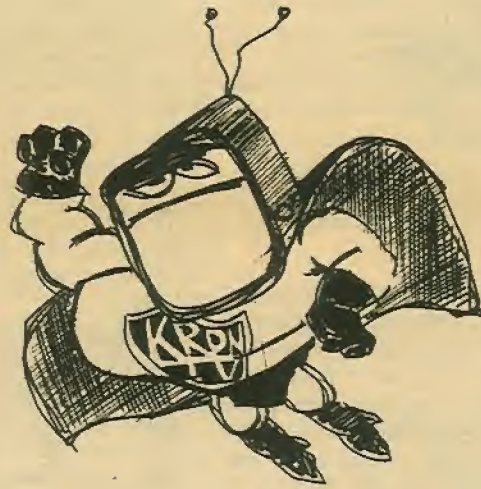
2) **Wm. F. Wyman**, **Cameron A. Dyson**, **Stanley K. Johnson**, **Walter S. Henry**, **Wm. K. Skidmore**, **Frank B. Hall, Jr.**, S. F. Expected to testify regarding their antitrust suit against the Ex/Chron for restraint of trade in sale of newspapers.

Richard Meister, Chronicle labor reporter, SF. Expected to corroborate Meister statement in Kihn's Diary on a March, 1967 story Meister wrote on the threatened technicians' strike against NBC (which would have affected programming on KRON, an NBC affiliate.) Meister told Kihn his piece was okayed by Abe Mellinkoff, executive city editor, but was

returned to Meister with "many red pencillings," as Kihn's Diary put it.

"It didn't affect KRON, of course, but it did involve NBC. They didn't want anyone to think that there was going to be any trouble with their television programs. I found out that Mr. Thieriot worries a lot more about his television station than he does about his newspaper."

1, 2) **Wm. F. Knowland**, Publisher - Oakland Tribune. Expected to testify as to the details of why S. F. Examiner did not deliver evening newspapers in Oakland Tribune Standard Metropolitan Zone for some time after consummation of the merger agreement. Expected to testify his newspaper has been unable to obtain rights to syndicated features because of Ex/Chron territorial restrictions. Expected to testify as to the merger's impact on his newspaper's circulation & advertising.



Ivan A. Anixter, **A. Louis Cohen**, **N. L. Nathan, Jr.**, S. F. Expected to testify substantially in support of their antitrust suit on advertising for the old Weinstein's Dept. Store.

2) **Frances C. Timble**, Richmond Banner, S. F. Expected to testify as to the adverse impact on said newspaper's circulation & advertising resulting from the merger agreement.

3) **Harold P. See**, **Aldo H. Constant**, **E. Pack Philips**, **Victor W. Burton**, **Clark Biggs**, **Roger Scott**, **Pete Leone**, **Terry Morrison**, **Jerry Blair**, **Ed Hart**, KRON-TV. Examined as adverse witnesses on all relevant & material facts relating to any of the issues.

1, 2) **J. L. Berryhill**, **Sheldon G. Cooper**, **L. A. Denny**, **Robert M. Raymer**, **Cecil Webb**, **Guilio Francesconi**, **Scott Newhall**, S. F. Examined on all relevant & material facts to any of the issues in this proceeding. **Harry Zevin**, S. F. Expected to testify substantially in support of Circle Star Theater's antitrust suit on advertising against The Hearst Cor.

1, 2) **David Sachs**, KGO-TV, S. F. & **Roger Rice**, KTVU-TV, Oakland. Expected to testify concerning scope of respective stations' coverage of merger agreement & that such stations covered the news story concerning the agreement prior to KRON-TV.

3) **George Draper**, S. F. Chronicle reporter. Expected to testify that he has written news or feature stories on the community of Vallejo & will be subpoenaed to produce all published copies of said stories.

5) Complainants expect to subpoena as witnesses each individual who took part in the investigation of complainants by Chronicle Broadcasting Co. & its investigators. Complainants expect to call as witnesses each person who was interviewed by Chronicle Broadcasting Co. & its investigators. Complainants expect to ask each of the witnesses exactly what was asked in the course of the investigation, what their responses were, and who the investigators represented themselves to be.

1, 2) Complainants expect to subpoena as witnesses the advertising managers, or comparable head of the advertising depts., of the following companies: Macy's; Emporium; Roos/Atkins; I. Magnin's; Akron; City of Paris; Joseph Magnin's; White Front; Safeway; Sears; H. Liebes; J. C. Penney; U.S.E.; Walgreen's; Pay-Less; Firestone Stores; Lucky Stores; Hasting's; Redlick's; Abbey Carpet; Bond's; Ransohoff's; Saks Fifth Ave & Grodin's.

1) **J. Hart Clinton**, Publisher - San Mateo Times; **Jack Craemer**, Editor - San Rafael Independent-Journal; **Henry Budde**, Publisher & **John J. Jordan**, Editor - S.F. Progress; **Louis E. Heindel**, Ad Dir. & **H. W. Hailey**, Circulation Mgr. - San Jose Mercury-News; **Eugene C. Bishop**, **Glenn Ranson** & **Raymond L. Spangler** - Executives - Redwood City

Tribune; **Leo E. Owens**, **A. M. Richards, Jr.**, **Warren Brown, Jr.** & **H. J. Colborne** - Executives - Richmond Independent; **Warren Brown, Jr.** & **Wendell Sorensen** - Executives - Berkeley Gazette; **Dean S. Leshner**, **Stan Leshner** & **Ralph Hanes** - Executives - Contra Costa Times; **Charles T. Tyler** - Palo Alto Times; **Floyd L. Sparks** - Hayward Review.

Expected to testify that their newspapers have been unable to obtain rights to syndicated features because of territorial restrictions in contracts with licensee's parent. Expected to testify their businesses were and are adversely affected by Chronicle's business practices & S.F. Newspaper Printing Co.'s business practices since the date of consummation of the merger agreement.

2) **N. S. DeMotte**, Mgr. Editor - Stockton Daily Record. Expected to testify that his newspaper has been unable to obtain rights to syndicated features because of territorial restrictions in contracts between features & Chronicle Publishing Co. and/or S. F. Newspaper Printing Co.

1, 2, 3, 5) **Bruce B. Brugmann**, Editor/Publisher - S. F. Bay Guardian. Expected to testify his business was & is adversely effected by Chronicle, Hearst, & S. F. Newspaper Printing Co.'s business practices since the date of consummation of the merger agreement.

Expected to testify that Scott Newhall, Exec. Editor of S. F. Chronicle, threatened to drive witness out of business. Expected to testify that Chronicle-Hearst-Printing Co. & affiliates effectively deny public right of access to mass media communications in violation of 1st Amendment to U. S. Constitution.

1, 2) **Wells B. Smith**, **Lyle A. Johnson**, **William Dowling**, **W. J. Griffith**, **Robert Ward**, **Arthur L. Gilbert**, **Lynn Fenstermacher**, **Robert E. Lee**, **Harry McLain**, **Kenneth Hobson**, Executives - S. F. Newspaper Printing Co., Inc. Expected to testify regarding all details of conduct of business of Printing Co. since incorporation in 1964 or 1965.

1, 2) **Charles DeYoung Thieriot**, **L. A. Denny**, **Hubert Buell**, **Scott Newhall**, **Gordon Pates**, **Abe Mellinkoff**, **Templeton Peck** - Executives - Chronicle Publishing Co. Called as adverse witnesses to testify regarding all details of conduct of KRON-TV, KRON-FM, The Chronicle Publishing Co., Chronicle Broadcasting Co. & all affiliated companies.

1, 2) **R. E. Berlin**, **R. A. Hearst**, **Charles L. Gould**, **N. J. Mages**, **Edmund J. Dooley**, **Thomas Eastham**, **Norman Nisbet**, **Rene Casenave**, **James McLean**, **Josua Eppinger**, **Gale Cook** - Executives - Hearst Corporation. Called as adverse witnesses to testify regarding all details of conduct of Hearst Corporation, S. F. Newspaper Printing Co., Inc., & their affiliated companies.

1, 2) **Donald A. McDonald**, Adv. Dir. & **John S. Delin**, Adv. Mgr., Wall Street Journal, S. F. Expected to testify that their newspaper's business was and is adversely affected, by Chronicle's business practices & S. F. Newspaper Printing Co.'s business practices since the date of consummation of the merger agreement.

3) **Roger Grimbsy** (former KGO-TV newsmen), WABC-TV, N.Y.C. Expected to testify concerning dates & scope of KGO-TV, Channel 7, coverage of merger in Sept. 1965. Expected to testify Harold See, KRON-TV station mgr., told David Sachs at KGO-TV that, when KGO used the word "monopoly" in its newscasts concerning Hearst-Chronicle merger, that KRON or Chronicle would sue KGO. Expected to testify that KRON-Chronicle-Hearst used efforts to suppress coverage of newspaper merger story.

3) **Roger Krupp**, KRON-TV newsmen, Mill Valley. Expected to testify that Wm. Cothran, as KRON-TV news director, told witness to cover the San Mateo Women's Club as a Harold P. See (KRON-TV station mgr.) "must-go" for the reason that Mr. See's wife had been president of the club & Mr. See wished KRON-TV to get an award from the club.

3) **Robert Sutton**, KRON-TV cameraman, Pacifica. Expected to testify that, as a KRON news cameraman, he filmed 800 feet of film on the Chickens Ball in San Carlos in 1966 & only 30 feet of film or so was used on the air; that KRON-TV even then was interested in obtaining CATV franchises on the S. F. peninsula. Expected to testify that a beauty contest at Fisherman's Wharf was covered as a Mel Kampmann (KRON-TV news director) "must-go" when Kampmann had a franchise for this pageant. Kampmann "emceed" it himself, & told witness to shoot film of the contest for KRON's news. Expected to testify that the Chronicle-sponsored Domino Tournament is always a "must-go" every year. Expected to testify that KRON-TV was the only television station to cover for CATV purposes, the new city hall in both Concord and Walnut Creek. (KRON later got a CATV franchise there.)

3) **Evan White**, KRON-TV newsmen & assignment editor. Expected to testify concerning the details of the so-called "Edict of Thursday, Feb. 10, 1966"; the 1968 newspaper strike; the coverage of the Chicken's Ball in San Carlos for CATV purposes & the So. S. F. Library dedication "must-go."

For KRON

Witnesses called by KRON to testify about "the news, public affairs and other programming" on Issue 4. "Expected testimony" supplied to the FCC by KRON attorneys (four law firms: two in San Francisco, two in Washington D.C.) Further public witness lists coming in early March.

Harold Alexander - Boy Scout Executive, Petaluma, will testify with regard to KRON-TV's news programming and documentaries.

Joseph Alioto - Mayor of S.F., will testify with regard to the fairness and objectivity of KRON's news coverage and to the community aid the station rendered in connection with its airing of Market Street improvement financing problems and its special attention to regional government problems.

Stephen Baffrey - Producer of the Stanford Summer Festivals, Stanford University, will testify to the value of the station's public service programming, particularly Specials, Community Circle and documentaries.

Mrs. Wayne Batchelor - Past President, Benicia PTA Council, Benicia, will testify concerning KRON-TV's Community Circle, Assignment Four, Portraits and Special programming.

William B. Becker - Director of the Human Rights Commission of S.F., will also testify with regard to Speak Out, Assignment Four and other public affairs programming.

Mrs. Marilyn Benz - Freelance public relations, Piedmont, will testify with regard to the community interest and value of the Community Circle program.

George Blumenson - Director of Publications, Richmond School District, will testify with regard to KRON-TV's documentaries, particularly "The Techs", "The Town That Found Itself", the "Story Called 'Success'" and other public service programming.

Roger Boas - Supervisor, City and County of S.F., will testify with regard to Assignment Four, Documentaries of particular interest and value to San Francisco and the Bay Area, to the coverage of the civic delegation surveying redevelopment projects and to the quality and fairness of the station's coverage of local political campaigns.

Joseph P. Bonne - Fire Inspector, City of Oakland Fire Prevention Bureau, will testify with regard to Community Circle exposure of fire prevention problems and as to KRON-TV's documentaries.

Catherine Brent - Extension Communications Specialist, Berkeley, will testify with regard to KRON-TV's educational documentary programs.

Dr. Erwin H. Braff - Director, Bureau of Disease Control and Adult Health, Department of Public Health, will testify with regard to KRON-TV's documentary dealing with VD, from the standpoint of the pertinence of the community problem and the quality of KRON-TV's response.

Terry E. Cannon - Information and Education Officer Zone III, California Highway Patrol, S.F. will testify with regard to Community Circle, Assignment Four and Special programs.

Marvin Chachere - University of California Extension, Letters and Sciences Division, University of California, Berkeley, will testify as to the "Folklore" series and special programs, how they fit into Extension programs and their effect on University classroom programs. He will also testify about documentaries of educational interest.

J. K. Choy - Manager Chinatown Branch, San Francisco Federal Savings, S.F. will testify concerning KRON-TV's documentaries and special programming of interest and value to the Chinese community.

George Christopher - Christopher Dairy Farms, Mayor of San Francisco from 1956-1964, will testify with regard to the balance in KRON-TV's news coverage, the station's interest in civic matters and programs responding thereto and to particular documentary and special programs dealing with specific San Francisco problems such as BART (Bay Area Rapid Transit), Market Street Blues, No Deposit No Return.

Thomas Cahill - Chief, S.F. Police Department, will testify with regard to the quality and fairness of KRON-TV's public service programming, its contribution to officer recruitment and to enhancement of relationships between the police and the community.

Mrs. Bradford Cohn - Member Woman's Auxiliary of the S.F. Medical Society, Kentfield, will testify with regard to Community Circle, Special and Assignment Four programs particularly those having to do with health problems.

Reverend George C. Conklin - Associate Director (formerly Director of Radio and TV) Northern California Council of Churches, S.F. will testify as to the quality of KRON-TV's religious programming.

Mrs. Dory Coppoletta - Educational Information, S.F. Unified School District, Office of Superintendent, will testify with regard to the Youth Inquires programs presented on KRON-TV.

Ronald Crema - Public Health Advisor, U.S. Public Health Service, will testify with regard to the seriousness of the VD problem in the Bay Area and the value of KRON-TV's documentary on that subject.

E. L. (Ned) Davis, Jr. - Manager, The Greater Petaluma Area Chamber of Commerce, Petaluma, will testify with regard to the Community Circle programs as well as to Assignment Four and other public affairs programming.

James Dierke - Assistant Superintendent, Adult and Occupational Education, S.F. Unified School District, has been closely associated with San Francisco Junior High School Debate Finals produced and presented by KRON-TV since 1961 and will testify in that regard, as well as to the extent and importance of the station's community involvement and public affairs programming of educational and sociological interest.

Miss Jane Dillon - Director of Public Relations, St. Francis Hotel, S. F. will testify about particular Community Circle programs as well as a number of KRON-TV documentaries.

Benjamin P. Draper - Professor, Department of Broadcast Communication Arts, S. F. State College, S. F. will testify with regard to the quality and effectiveness of Station KRON-TV's news programs, special programs, documentaries and other public service programming.

Thomas Eagan - Public Information Director, S.F. Association for Mental Health, will testify as to the program help given his group by the station and as to particularly mental health programs.

Don Fazackerly - Vice Chairman of the Board, Commonwealth National Bank of S.F., a former San Francisco Supervisor, has served as Foreman of the San Francisco Grand Jury, has been a San Francisco Police Commissioner and has been a member of the City's Public Utilities Commission; will testify with regard to the interest and value of KRON's public service programming particularly the Assignment Four documentary series.

Alvin I. Fine - Rabbi, S.F. former Rabbi of Congregation Emanu-El, San Francisco, and now an instructor in Humanities at San Francisco State College and San Francisco City College, as well as being a member of the San Francisco Human Rights Commission; will testify as to the value of KRON-TV's public service programming.

F. Wayne Flinn - Director of Publications, Palo Alto Unified School District, Palo Alto, will testify concerning KRON's documentaries, particularly those relating to or of interest to Oakland and other East Bay educational institutions.

Harry Fosdick - Director of Public Relations, Burlingame, (California Teachers Association), will testify with regard to Assignment Four and Special programs, particularly oriented to the schools.

Terry Francois - S.F., a member of the San Francisco Board of Supervisors and an attorney. He has also been active in civil rights activities having been the attorney for NAACP and a member of its Executive Board. He will testify with regard to the fairness of KRON-TV's news coverage and to the documentary and special programming including Mission to Atlanta, programs having to do with racial problems and relationships and as to the facts concerning the trip to Mississippi in which he participated and to which Mr. Kihn makes reference.

Mrs. Helen Galantiere - Executive Secretary, JACKIE of San Francisco, (committee concerned with adoption and foster homes for children), will testify with regard to KRON-TV's public service programming particularly those relating to adoption, foster homes and the related problems of children.

Miss Ronny Gilmore - Director of Public Information, California Nurses Association, S.F. will testify concerning the interest and value of the Assignment Four documentaries and Specials dealing with VD, the Health Gap and homosexual problems.

Mrs. Bernard Glickfield - Member San Francisco National Council of Jewish Women, will testify with regard to Community Circle, Assignment Four programs and special programs dealing with San Francisco legal and political problems.

Stephen L. Nelson - Executive Vice President, or another officer of United Bay Area Crusade, S.F. will testify about Community Circle programs of particular value to the Crusade and Speak Out and Assignment Four productions of interest to this group.

H. David Sokoloff - President, S.F., California Council for Retarded Children, S.F., will testify concerning the interest and value of KRON-TV's documentaries, particularly such productions as "The Happy Riders on The Yellow Bus".

Robert Stallings - San Carlos, a former San Mateo County Manager, will testify concerning the activities and efforts of KRON-TV to work with him and other civic leaders as to community-interest program possibilities and public service programming relating to particular problems of the Bay, the San Mateo County Hospital bond issue, and BART.

Percy H. Steele, Jr. - Executive Director, Bay Area Urban League, who lives at S.F., concerned with city problems, on-the-job training, helping people to get work and endeavors to improve relations between blacks and whites. These interests also include City planning and family service work. He will testify as to the daily "I Want a Job" program from the standpoint of its community interests and value to his organization, as well as a number of documentaries he has witnessed, including the one on drugs and "Campus in Crisis".

George S. Steiner - Professor, Department of Broadcast Communication Arts, S.F. State College, will testify with regard to the quality and effectiveness of Station KRON-TV's news programs, special programs, documentaries, and other public service programming.

B. R. Stokes - General Manager, S.F. Bay Area Rapid Transit District (BART), will testify concerning Assignment Four documentaries, the BART programs, and those having to do with Market Street and other urban development problems.

A. V. Streuli - Fire Chief, Consolidated Fire District, Contra Costa County, Pleasant Hill, will testify as to the pertinence and value of the Community Circle programming dealing with fire prevention.

Paul Strobel - Executive Director, California Heart Association, S.F. will testify as to the superiority of KRON-TV's public service programming in the Bay Area and will, in particular, discuss the documentary "Danger, Heart at Work" having to do with heart disease prevention.

Robert J. Sullivan - Executive Vice President, S.F. Convention & Visitors Bureau, will testify as to the contribution of the station to his organization as well as to documentary programs dealing with San Francisco problems.

John A. Sutro, Sr. - Pillsbury, Madison & Sutro, S.F., past President of State Bar of California and the San Francisco Bar Association, will testify concerning the fairness and balance of the station's programming in the news and public affairs areas as to the quality of Sunday afternoon public affairs programs and as to documentary and other special programs relating to the efforts of the Bar Association to stimulate public awareness such as "Law Day", and "The Bar Verdict is Guilty".

Mrs. Earl Sykes (Elizabeth) - Berkeley, a past President of the Berkeley Motion Picture and Television Council and a former Chairman of the Alameda County District Foundation of Women's Clubs, will testify with particular regard to the handling of news at the time of the turbulent "free speech" activities on the Berkeley campus; she will also testify about KRON-TV's overall programming and specifically about a number of the Assignment Four documentaries including the California history series, the Youth Inquires series.

Walter J. Thompson - Daniel, Mann, Johnson, Mendelhall, Redwood City, is on the Industry Education Committee of the Peninsula Manufacturers Association and will testify about Youth Inquires programs.

Richard Trudeau - Director, East Bay Regional Park District, Oakland, will testify concerning Assignment Four documentaries and about the help and guidance in the production of announcements for his activity and the resulting marked increase in park attendance after such productions.

Ed Turner - Vice President Seafarers International Union of North America AFL-CIO and Secretary-Treasurer Marine Cooks & Stewards Union AFL-CIO, S.F. will testify as to the quality of KRON-TV's public affairs programming, its fairness

With a cast of hundreds

to labor and as to its particular contribution to the airing of San Francisco Port problems, as well as other documentaries such as Save the Bay and the one on VD.

Dr. Edgar Wayburn - President, Sierra Club, S.F. is particularly interested in conservation and will testify concerning Speak Out and Assignment Four documentaries, Portrait and special programs dealing with these subjects.

Louis B. Heilbrun - Attorney at Law, S.F., a State College Trustee, will testify concerning the interest and value of KRON-TV's public service programming.

M. Justin Herman - Director, San Francisco Redevelopment Agency, S.F., will testify with regard to Speak Out and Assignment Four programs.

Dr. Virgil Hollis - Superintendent of Schools, County of Marin, Corte Madera, will testify as to public service programming in the areas of education and youth recreation and particularly with regard to KRON-TV's documentaries and Specials relating to VD, Sex Education, Crisis in Education and human and race relations.

Mrs. Anne Hopkins - Executive Director, Guide Dogs for the Blind, San Rafael, California, will testify with regard to KRON-TV's public service programming of special application to the problems she is concerned with, including Community Circle, Portrait and Assignment Four features.

Dr. Stuart W. Hyde - Chairman, Department of Broadcast Communications Arts, State College, S.F., will testify with regard to the quality and effectiveness of Station KRON-TV's news programs, special programs, documentaries and other public service programming.

Reverend Frank A. Jacobsen - Pastor of Zion Lutheran Church, S.F., will testify with regard to KRON-TV's public service programming with particular relationship to religious and social aspects.

Clifton R. Jeffers - Assistant Regional Administrator, Equal Opportunities, Western Region, U. S. Department of Housing and Urban Development, S.F. will testify with regard to the community interest and value of KRON-TV's Community Circle and Assignment Four programs dealing with fraudulent business practices, juvenile problems of crime and problems of the slums.

Thomas P. Johnston - President, Region 5, California Horseman's Association, Concord, will testify as to Assignment Four programs and Specials which he considers to be of special value to his group and to others interested in conservation and outdoor activities.

Miss Helen Jones - Assistant Director, Public Relations Department, Tuberculosis & Health Association of California, Oakland, will testify with regard to the special help KRON-TV has given her organization and as to Community Circle programs and Assignment Four especially related to health.

Wil Jones - Public Relations Research Specialist, Bay Area Urban League, Inc., S.F., will testify as to the value to the community of the "I Want To Go To Work" series on the station.

Robert E. Keldford - Staff Consultant, Bay Area Social Planning Council, Oakland, will testify about Assignment Four and Youth Inquires programs dealing with the areas of juveniles, crime prevention, and related urban social matters.

William J. Kelly - Director of Information, Western Conference of Teamsters, Burlingame, will testify as to the cooperation KRON-TV has given in the area of labor-management relations.

Valentine King - Assistant Assessor, Assessor's Office, S.F., will testify as to the quality and value of Heritage and other KRON-TV public service programs.

Iver Larsen - Executive Vice President, S.F. Chapter of the National Safety Council, will testify with regard to Community Circle features of interest to those concerned with safety and to such Assignment Four programs as "Killer Behind the Wheel", "The Road to Sobriety" and "Emergency Call".

William Healy - Bay District Joint S.F. Council of Building Service Employees, 177, S.F., will testify with regard to the "Speak Out" and the community interest of that series as well as the KRON-TV news coverage.

Samuel Goldman - Skyline College, San Bruno, and College of San Mateo, Evening College Division, will testify to the cooperation given by KRON-TV series relating to the aforementioned colleges, given on the Bay Region Report.

Mrs. Horace Guittard - Coordinator, Youth Guidance Center Volunteer Auxiliary, S.F., will testify concerning Community Circle programs of value in youth guidance and about Assignment Four programs similarly oriented.

Richard P. Hafner, Jr. - Public Affairs Director, University of California, Berkeley, will testify concerning Assignment

Four programming, particularly with reference to Mapping the Moon, On Campus series, and about the fairness of KRON-TV's news coverage in reporting the UC campus disturbances.

Dr. Earl S. Herald - Curator of Marine Biology, Steinhart Aquarium, California Academy of Sciences, Golden Gate Park, S.F., (currently Acting Director, California Academy of Sciences), will testify with regard to the interest and value of such programs as Science In Action and Community Circle.

Miss Carol Levene - University Relations, University of California, Berkeley, will testify with regard to the "On Campus" series and as to the cooperation and help which the station has furnished the University through the years, by its program efforts.

John C. Lilly - General Manager, West Bay Rapid Transit District, Redwood City, will testify about Community Circle and Assignment Four programs of value to the Bay Area Transit Development.

Henly L. Loretz - Director, Associated Sportsmen of California, Alameda, will testify with regard to KRON-TV's public service programs particularly those relating to conservation, pollution of the environment and the Sierra Nevada.

Orville Luster - Executive Director, Youth for Service, S.F., will testify with regard to Assignment Four programs of particular social significance, and the series "How I See It".

State Senator Milton Marks - S.F., will testify with regard to KRON-TV's public service programming including the Youth Inquires series and documentaries, as well as the quality and fairness of the station's news programming.

Mrs. Jean May - Executive Director, Florence Crittenton Home of S.F., will testify with regard to Community Circle features, Speak Out and Assignment Four documentaries relating to the area in which her organization is particularly interested.

Thomas Mellon - Chief Administrative Officer, City Hall, S.F., will testify concerning KRON-TV's public service programs dealing with Market Street problems, city financing problems and other documentaries having to do with urban problems and interests.

Mel Morse - Executive Director, Humane Society of Marin County, Ignacio, will testify concerning Assignment Four, Portraits and special programs relating to the understanding and care of animals, public service programs dealing with law and the problems of youth.

Mrs. Marcelle McCoy - Marin Art & Garden Fair, Ross, will testify as to the interest and value of Community Circle programs and particularly as to the quality and interest of "Green Thumb" and other gardening and agricultural programs.

Edward A. McDewitt - Superintendent of Recreation, S.F., Recreation and Parks Department, will testify as to a variety of the station's public service programs dealing with the city and its recreational problems and activities.

Edward W. McHugh - Information Officer, Bay Area Air Pollution Control District, S.F., will testify concerning Speak Out and special news features dealing with pollution problems and Assignment Four documentaries having to do with the protection of the Bay Area environment.

State Senator George Moscone - S.F., will testify concerning KRON TV's documentaries relating to San Francisco Bay Area problems, the situation referred to by Mr. Kihn involving the trip to Mississippi which he (Moscone) and others made to help prepare witnesses for depositions supporting challenges against certain Mississippi delegates to the Democratic Convention and will also testify concerning the programming dealing with youth.

Janice Ivler - Director of Public Information, S.F. Chapter, National Foundation March of Dimes, will testify with regard to drives and Assignment Four, Portrait and Community Circle programs.

Kerry W. Mulligan - Chairman, State Water Resources Control Board, Sacramento, will testify concerning KRON-TV's program contributions on subjects of pollution, water control and conservation. He is also familiar with the station's other public affairs and news programs and will also testify about them.

Robert B. Pitts - Regional Administrator, Region 6, U.S. Department of Housing & Urban Development, S.F., will testify with regard to the Community Circle "Know Your Government" series and a variety of Assignment Four documentaries dealing with Bay Area problems.

Paul C. Smith - Professor, Department of Broadcast Communications Arts, S.F. State College, will testify with regard to the quality and effectiveness of Station KRON-TV's news programs, special programs, documentaries and other public service programming.

Mrs. Patience Scales - Founder and Director "Parade of Youth at the Piano", S.F., will testify concerning the value and contribution of KRON-TV's public service programming to her organization and as to particular Assignment Four and Portrait programs she has seen.

Edgar Scholl - Public Relations, Ruder & Finn, S.F., was instrumental in entering the station's Assignment Four documentary "Decisions" in Bar Association competition which won the Jan Harrah Memorial Press Award in 1967, will also testify as to other award-winning documentaries with particular relation to those of interest to the Bar Association and informing the public of major legal facts.

Robert B. Rockwell - Public Relations Officer, S.F. Municipal Railway, Public Utilities Commission, will testify concerning Assignment Four documentaries of city interest including those concerning Market Street development, BART and Fisherman's Wharf.

Mrs. Thomas Rowe - Director of Education, S.F. Chapter, The National Conference of Christians and Jews, Inc., will testify about what KRON-TV has done for community public service organizations and Community Circle and Assignment Four programs.

J. Arthur Rude - Executive Director, California Traffic Safety Foundation, S.F., will testify concerning Assignment Four and Youth Inquires programs having to do with traffic safety, the causes of accidents and special contributions of KRON-TV to the Foundation.

Dr. David D. Sachs - S.F., presently an ophthalmologist, he is also interested in public health and is on the Board of Directors of the California Alliance for the Eradication of VD, will testify concerning the timeliness, courage and production quality of the KRON-TV documentary on that very little-discussed subject. He will also testify about the Youth Inquires series.

Albert S. Samuels - Jeweler, S.F., was so impressed with the KRON-TV documentary "Market Street Blues" that he organized the Market Street Development Project which is still active and is vitally concerned and working on the revitalization and improvement of this area and will testify to that effect and other community contributions of the station.

FOOD & WINE

By Alan Wofsy

Irving Street, in darkest Sunset, nourishes a remarkable collection of ethnic specialty food stores—mainly Eastern-European and Mediterranean. Since the Jews started in the former and ended in the latter (in modern times), you should not be disconcerted to find a jar of borscht adjoining a chunk of halvah.

On the other hand, it is reassuring to find canned sesame seed pastes from Israel and Arab states living in gastronomic peace on the same shelf. This is the scene at the House of Coffee, 1846 Irving. An entente has also been arranged between Armenian peppers and Turkish delight. The boxed couscous is made not in Algeria, but in France, though the French wine vinegar is indeed from Burgundy.

A rule of thumb for keeping your ethnic balance is: poppy seeds and their derivatives mean Eastern European, whereas sesame seeds and their by-products indicate the Mediterranean. Given this gross distinction, the House of Coffee is definitely Mediterranean.

The house specialty is coffee and the owner proudly asserts that he carries 23 personally selected kinds of green beans—from which he can roast 72 different blends. The shop also carries 18 varieties of tea, and various nuts in bulk, including a quite flavorful pistachio from Syria.

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The Irving Delicatessen and Restaurant, 1936 Irving, falls in the Eastern European camp. It's Russian, though most of its canned goods are Israeli. This shop is exceptional for its home-made pastries, which include cheese buns (vatrichka), poppy-seed rolls (bulochka with macom), Napoleons and pipe (trubochka) with whipped cream.

They also sell a delicious and moist cheese cake, not made on the premises. Prepared cheese blintzes can be taken home and reheated. In the same family as blintzes, though more of a quick snack item, are piroshki. These are turnovers of unleavened dough which are stuffed with meat, potatoes or cabbage and baked.

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Regina's Delicatessen, 2305 Irving, is Eastern-European Jewish. One characteristic of Jewish ghetto food is its dryness—as if there could be no milk and honey until the return to Israel. The pastries are all exceptionally dry: the hamantaschen, three cornered cakes filled with prunes or poppy seeds, the honeycake, the macaroons.

The fish are smoked: white, cod and salmon. A specialty of the house is gala, Yiddish for many other names, none of which make the dictionary. The dish is a gelatine of a cow's leg which—according to the hostess—is cooked for 10 hours. Garlic is added a layer of fat is scraped off the top, you have a little horseradish, you're offered a piece of rye bread (it's 10¢ extra): "See, I told you you wouldn't like it."

Regina's also features homemade chicken liver, borscht, schmaltz (chicken fat) and rum balls, a confection of wafer and rum coated with chocolate. A dried Mediterranean specialty is St. John's Bread or the carob bean, which curiously combines a molasses and cheese taste.

The bean has been recommended for planting in California as a cattle food since it thrives in any climate suitable for oranges and, according to one authority, has a greater yield per acre than any grain. It is fed to cattle in Mediterranean countries and imported to England for cattle feeding. The bean has remained a "poor man's" confection, though its price in the U.S. no longer justified this epithet.

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The Florence Delicatessen, 2115 Irving, resembles a French Charcuterie more than any shop on the street. This is due to its wide array of prepared dishes, prominently displayed in the window. These are primarily salads, though specialties such as artichoke fritata, marinated pigs feet and stuffed peppers are also featured.

The shop makes two cheese spreads, a bleu and a cheddar. It also claims the distinction of having the only barrel of dill pickles in the area. And they are good.

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The Handy Delicatessen, 1815 Irving, carries a general line of prepared meats. By suburban standards, it would be exceptional, though it's undistinguished among its peers.

Further east, one encounters the Pacific Delicatessen, 841 Irving. It features home made Russian pastries, in addition to piroshki and blintzes. In the hors d'oeuvre department, it offers egg plant "caviar," a dish consisting of green peppers, tomatoes and egg plant, Russian head cheese, pickled mushrooms, sour cabbage, pickled herring and several varieties of smoked fish. The Pacific also imports halvah from Turkey, which has far more flavor than the mass-produced Joyva that resembles cement more than halvah.

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For three decades, Irving Street has had its own ice cream maker. The Three Mills Creamery, 836 Irving, lists among its special flavors: Jamaica coffee (coffee with fudge), pistachio and strawberry and banana, both of which are made with real fruits.

My one time sampling rated the ice cream high in richness, but rather lower in flavor than Berkeley's Botts' or McCallum's ice cream parlors.

Dylan (Curran)
The Price (Curran)
Star Spangled Boner (Little Fox)

Jack Aranson's reincarnation of Dylan Thomas in Sidney Michaels' play "Dylan" extends even to looking and sounding like him. Aranson's long familiarity with the role gives his characterization an authority and skill that make it good theatre.

But the rest of the recent production at the Curran had "Little Theatre" written all over it. Phillip Pruneau's direction seemed all wrong: throw-away lines were delivered heavily; the bathtub scene and the Texas party scene became embarrassments to sweat out rather than enjoy; the Annabelle Pike character was neither as believable nor as funny as she was written; and you're never certain whether John Malcolm Brinnin is a real-life tongue-tied ass or is just being played by an actor who's a tongue-tied ass.

Stuart Wurtzel's set, ten dollars worth of raw lumber nailed together to form a staircase and a platform, sufficed as a ship's hold, but as a Texas mansion it ruined the party that was supposed to be going on there.

A program note says: "The death of a poet has a special significance for us; he takes a part of our youth with him when he goes. The play, therefore, despite its tragic resolution, is about a hero (in this era of anti-heroes) and we mourn his passing by reliving his life."

Heroes and artists

Well put. But the theatrical weakness here, as in most works that try to make heroes out of real artists, is that, while their artistic output is full of beauty and nobility, their private lives are more often than not either dull or ugly.

Ignoble is the only word for Dylan Thomas's failure to send the tuition money for his daughter, or for his irresponsibility in getting drunk and breaking dates. Although the play is sympathetic—almost idolatrous—toward him, it unwittingly conveys the gradual impression that he wasn't much of a man and ultimately that his last months were mean and pathetic rather than noble and tragic.

Dylan was succeeded on the Curran's stage by a marvelous character who didn't write poetry, but spoke it. In "The Price," Arthur Miller has a policeman,

his wife and his estranged brother coming together in a cluttered attic to sell their dead father's old furniture and to rehash the resentments and frustrations of their lives.

Although Shepperd Strudwick is sometimes inaudible and Michael Strong often allows his characterization to lapse into mannerism, they form, with Betty Field, a trio of capable professionals giving life to dialogue that frequently rings bells and strikes chords.

So far, not great Arthur Miller but good Arthur Miller.

Enter Mr. Solomon, 90-year-old furniture dealer. In bits of reminiscence about his own remarkable survival and in fatherly advice to the other characters he constantly fills our ears with a sort of Yiddish folk-poetry, our mouths with laughter and our hearts with empathy and admiration.

He is simply great, that rare coming together of beautiful writing and exquisitely natural acting that can make you believe in the theatre again. The actor here is Harold Gary, and all I can do is thank him.

Varsity show

I don't know whether to thank Ray Golden for "Star Spangled Boner" or not. He has labelled it "a musical comedy happening," but that will fool no one. It smells of the trunk. Despite the topicality of its gags, it is a shameless throwback to "Of Thee I Sing." At one point it even recognizes its own triteness—the boy looks into the girl's eyes, then looks at the audience and murmurs, "That's a song cue if ever I heard one."

Performers like Maurice Argent and Robert Cowell have been very funny in the past, but

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Rolfe Peterson Reviews Theatre



they are defeated here by the simple corniness of Golden's libretto, songs and direction.

Nevertheless, I laughed at such lines as "The President isn't in the White House---he's at Key Biscayne recovering from a cold he caught at San Clemente" and "He's such a good salesman he could sell Mayor Alioto a subscription to Look Magazine." Nowadays, this kind of ribbing is done better by stand-up comedians like Mort Sahl and Bob Hope.

But if you agree that the Little Fox is too beautiful a theatre not to be lit up by something, even if only an old-fashioned Varsity Show, then you might think kindly of "Star Spangled Boner."

THE END

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Margo Skinner Reviews Cinema

The Damned (Bridge)
Z (Stage Door)
Oh, What a Lovely War (Clay)
The Molly Maguires (New Royal)

Luchino Visconti's new film, "The Damned," literally sickened me. Power corrupts absolutely a noble German family of steel and munitions makers, as the Nazis simultaneously take over Germany in this strong study of evil.

Visconti's grand design parallels domestic events with historical ones: the Reichstag Fire marks the beginning of the von Essenbecks' degeneration; the "Night of the Long Knives," a

blood bath of Nazi factionalism, finds Baron Konstantin slashed to pieces by machine gun bullets; books burn on a public bonfire as Guenther's headmaster warns the sensitive scion to conform.

The von Essenbecks are aristocrats without noblesse. Even old Baron Joachim (Albrecht Schoenhals), kind to children and servants, collaborates with the Nazis to preserve his factory. Baroness Sophie, played with poisonous skill by Ingrid Thulin, in dazzling 1930's gowns and maquillage, prods her parvenu lover (Dick Bogarde, badly miscast as a German) to two murders.

Nazi orgy

Brutal Konstantin (Rene Koldehoff) blackmails his child-molesting nephew to gain control of the steel plant. Maneuvering them all like a satanic puppet-master is cousin Aschenbach (Helmut Griem), Nazi intellectual and S.S. officer.

Among these starkly evil personalities the most fascinating is young Martin-transvestite, corrupter of little girls, ultimately his mother's incestuous lover-consummately well played by Helmut Berger, a name to remember.

As one of his child victims, dark-eyed Irina Wanka is remarkable. But the other "good" characters are inadequately drawn, and the film lacks balance.

"The Damned" builds frenzied excitement. The Munich holiday of the Brown Shirts, for example, begins with comradeship, schnapps and schottisches,

degenerates into a vicious orgy, red like the glare of the steel factory, or war, or hell and climaxes in blood as the black-clad S.S. massacres its rivals.

"The Damned" is immensely powerful, but also confusing and choppy, with odd transitions and some characterless characters. Aschenbach's master power play apparently has been worked out with immense care; but at times the pages seem stuck together.

Film writer Walter Kortesays Director Visconti's pictures generally "run three to four hours," with "an elaborately constructed scheme of development," and are often butchered by cutting for U.S. showing. Perhaps this explains the film's flaws.

Regardless, it is a strong film, almost unbearably so. The incestuous coupling of the Baroness and her son and the Nazi wedding finale make the orgies of "La Dolce Vita" seem child's play.

Political pictures are in in the '70's.

Director Costa-Gavras and script writer Jorge Semprun boldly announce that any resemblance of "Z's" characters and events to life "is not coincidental; it is deliberate." "Z" recreates the assassination of Gregorios Lambrakis, a Greek liberal Deputy, by a conspiracy of working-class toughs, the police, the Ministry of the Interior and top echelons of the Establishment.

Yves Montand plays the martyred antiwar leader with warmth and dignity. Jean-Louis Trintignant is excellent as the conservative, honest investigator. Irene Papas tears your heart out as Montand's widow.

"Z" is a suspenseful detective story, an indignant political document and a warm human drama. Its scenes of police-demonstrator confrontation are as real as Chicago or Berkeley.

In exile

The letter "Z" means "He is alive." Greek democracy lives in exile, mourned by distinguished, exiled intellectuals.

"The Molly Maguires," also political, is only partly effective. Its starkly photographed Philadelphia company town of the 1870's and the frightening black underworld of the coal mines are shockingly real.

But Sean Connery as the leader of the Irish working-class militants mutters his lines and Richard Harris is a dead loss as the police spy protagonist. Worse, producer-writer Walter Bernstein never seems to make up his mind about which side he is on.

"Oh, What a Lovely War," a black musical comedy about World War I, features almost every top star in England and some highly imaginative sequences. But music and Brechtian humor compete with realistic scenes in the trenches, and the combination does not gel.

The best episode, with a "period" flavor, shows Maggie Smith as a stunning, sinister music hall queen seducing the boys with song into signing up as gun fodder. Actor Richard Attenborough's first directing job has many virtues, but needs editing and a firmer sense of purpose, artistic and political.



By Creighton H. Churchill

Among its native exotics, San Francisco is privileged to number the bar collector. He is the neurotic ever in search of a funkier, more gamey dive where he can drink steam beer and bourbon in glasses fly specked by history. Whispered among these worthies is a bar on the beach several miles down the highway from Playland.

Identified by neon beer signs, squatting on the first floor of a large, Park Gothic cement building, the bar lives in the Depression-WWII era. It hasn't changed since the 1930's. Everything, including patrons and bartender, just became more wrinkled and yellowed. The walls, illuminated with monstrous WPA murals, distort the history of the Bay and city, in colorful, Stalinist workers style. The bar stretches long, wood, plain and scarred. Tall ceilings with plaster scroll work hide signs pointing upstairs to a Vet. of Foreign War post and a bathroom. The Vets run the bar and lease the building from the city.

The bartender looks like a retired cowboy from the midwest, lean and weathered. In the far corner, men shoot pool, wearing sweatshirts with the sleeves cut off and rolled to the shoulder—a cigarette pack stuck in the roll. White. Tattoos on upper arms. Beer drinkers. The drinks are cheap, the atmosphere resembles a movie set for a Bogart flick, especially at night. The patrons are extremely odd.

• • •

Radio's golden age has not come again, but KSAN and KSFO have broken precedent and showed some programming creativity.

KSFO is the most underground of the above-ground AM stations. It permits its air personalities to think, sometimes even aloud, and on Sat., Feb. 7, presented the "Son of Laugh-Off"—a pre-taped, "laugh-in" format of comedy albums, skits, Sounds-from-the-cutting-room-floor, bloopers and original banter among the on-air crew. Son's "muthur" is Pete Scott, an actor turned programmer, the former Marin rancher who raised the Wier Chicken (who lays heavy eggs). But everything was all right anyway, and the L-Off came off a success.

Recovering from the Roland Young firing (over the air-waves repetition of some of Panther David Hilliard's suggestions about Nixon) KSAN installed the Congress of Wonders (three sagely lunatic heads) on the six to 10 am spot. Replacing these happy galvanic gargoyles on weekend mornings is Bobby Dale, veteran S.F. D.J. and the grand old man of the fourth dimension. First with KFRC, a screamer, bennie-programmed rocker, then, with an adroit high dive, night and middle night man at KSFO; and now at KSAN-Dale's career has flowed into mellow formats, spiced with a smokey sense of unearthly humor. We hope KSAN will give him air-time enough to fully develop his style.

Compliments indeed to the KSAN news department under Wes (Scoop) Nitsger for solving the problem of limited resources by turning inward, electronic-Zen fashion. Using the record library, their heads and much revolutionary tobacco, they transform wire service and Chronicle stories into psycho-sound montages of surpassing excellence.

Also remarkable "The Devil and Mr. O," a series of horror, mayhem and apple pie stories left over from network radio days. Written by Arch Oboler, who created "Lights Out," these stories run every Sunday night at 11 pm. The concept is worthy, but the stories suffer from age. Of more import would be "The Shadow" or "Tom Corbet, Space Cadet," radio oldies. Maybe even "Big John and Sparkie."

Paul Bouchet is KSAN's engineer and production man and the memorable voices (including a mind-warped Hindu fakir) featured on the station's aggressively unorthodox commercials. An artist with a tape splicer, Bouchet is also the only local radio engineer who can hold a successful dialogue with an unplugged vacuum tube.

Since the departure of Tom Donahue, Stephen Ponck, a young and competent KSAN employee, has taken on program directing. And how has he adapted to the revolutionary underground style Donahue brought from old KMPX? A veteran employee-secretary said in hushed, reverent tones, "Why, I even remember when Stephen was straight. . . ." In all, KSAN is nice to have around.

Roland Young, the well liked black D.J. bounced from KSAN by MetroMedia, their parent corporation, for incurring Secret Service wrath for the Nixon thing, can now be heard evenings on KPFA-FM, Pacifica Broadcasting's Radio Free Berkeley. Welcome.

• • •

Carried high in Moratorium marches and other anti-War so-cials have been large "American" flags with white peace symbols for stars. Alvin Duskin flies one from his clothing manufactory, (at half-price, according to Caen). Official protests have been lodged.

Behind the flag, Secret Service, Inc., an eccentric gaggle of designers, dancers, graphic artists and other folk, operates in bizarre offices on 2302 Ellsworth, next to campus in Berkeley. Trademarked by an outlandish eye and triangle, S.S. Inc. specializes in graphics and designs for art, environment and peace. They plan to market a large U.S. flag with a heart-shape star for "love."



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THE END

The San Francisco Bay Guardian February 28, 1970 page 17

Hetch Hetchy

guardian classified

-continued from page 9

The reason is obvious: San Francisco has no domestic retail market and the districts do. Power sales in the districts are almost entirely retail, while San Francisco's sales are predominantly wholesale, at cost or at low industrial rates. As any PG&E executive knows, the sale of electricity to the ultimate consumers--houses, businesses and industries--and on a large scale is how major profits are made in the utility business.

After completion of the first Don Pedro dam, residents of the irrigation districts voted overwhelmingly in 1922 to buy out PG&E's distribution system and go into the retail electric business. The districts built this project and thus were not restricted by the Raker Act. There was no compulsion for them to retail Don Pedro power and no prohibition against wholesaling it to private utilities.

Growing problem

Yet they voted to buy out PG&E. With an earthy practicality that never caught on in "The City That Knows How", voters responded to arguments like this:

"The power crop is a natural by-product of the stored water and to sell that crop at a small wholesale price and turn around and buy it back at a much higher price for drainage and other uses does not seem any better logic than to raise a crop of corn, sell it at a low price and then buy the corn at retail prices to feed our hogs." (From the district's annual report.)

For about 20 years, the districts were able to supply their own power from their own projects. Then, after San Franciscans in 1941 voted down their eighth and last bond issue to buy out PG&E's local distribution system, the districts "rescued" San Francisco, solved Moore's disposal "problem" and agreed to take the power the city didn't want. They have been taking it ever since.

The supreme irony is that the districts do better with just a portion of San Francisco's power than does San Francisco with the whole.

Even with the high profits, district electrical rates are substantially lower than they are in San Francisco. The average household uses 3,000 kilowatt-hours of electricity per year, according to the State PUC. On this basis, an average household in the Modesto Irrigation District pays \$60 a year for electricity. The average San Francisco household pays PG&E \$74.40 a year--24% more for the same amount of power.

The Modesto Irrigation District makes enough profit from Hetch Hetchy electricity to totally subsidize the distribution of irrigation water to the district's farmers and still has money left over; in 1968, it transferred \$1.8 million to surplus after making the water subsidy. Meanwhile, San Francisco's PUC contemplates a 15% increase in water rates for city consumers and PG&E petitions the State PUC for another increase in electricity rates.

San Francisco could bring almost the entire output of Hetch Hetchy into the city--if it had a distribution system. Although there is no visible intention at City Hall to do this, the PUC still is studying expensive ways to maximize Hetch Hetchy's power output.

A couple of years ago, the PUC hired the associated engineering firms of Claire A. Hill and R. W. Beck to determine how to develop unused potential on the river to maximize Hetch Hetchy's power output.

The consultants' plan would boost Hetch Hetchy's annual power production 2-1/2 times, to nearly 5 billion kilowatt hours. This is enough to supply two cities the size of San Francisco, but again none of this power is destined for San Francisco citizens. The cost estimate was \$230 million, to be paid out of general obligation bonds over a period of 50 years. This would boost San Francisco's total investment in the Hetch Hetchy Project close to half a billion dollars.

Moore says the expansion would add \$2.5 million to the \$4 million the city nets annually on Hetch Hetchy power. Concedes Moore, "This is a small return for a \$230 million investment."

The city could do much better if it took over the electrical distribution system in San Francisco and its annual profits to PG&E of at least \$30 million. (See Neiland's article in Mar. 30, 1969 Guardian.)

This possibility the PUC is not exploring. Instead, following its don't-ruffle-PG&E tradition, it has quietly scouted the area outside San Francisco for potential customers it could legally wholesale its vastly increased output. It has found some.

The Northern California Public Power Association reports it will be happy to take all of San Francisco's extra power. This is an association of public power cities, including Palo Alto, Sacramento and Alameda. Of course, Hetch Hetchy power would be "wheeled" to these cities over PG&E lines, at an annual cost of millions.

Acquisition

Curiously, our PUC did once gesture weakly to acquire PG&E's distribution system in San Francisco. In 1963, the PUC ordered its utilities staff to find out how much a feasibility study would cost. Nothing more was ever heard on the matter.

I recently asked former Commissioner Thomas Stack, then the PUC president and the PUC's strongest public power advocate, what happened. He replied that, shortly after the instructions were given, the General Manager of Public Utilities, Robert C. Kirkwood, died. His successor, James K. Carr, requested time to settle into his new position.

"Everything came to a standstill," Stack said. Why didn't the staff follow instructions? "Well, it's possible for someone to shuffle papers so long that you even forget what it was you were asking."

Clearly, what is needed is a feasibility study to acquire PG&E either outright, or gradually in federal urban renewal projects. Before this, however, there must be steam in the boilers beneath the PUC, the mayor and the supervisors. This may take awhile.

At the moment, our Hetch Hetchy economists are fretting about how much rent the project pays for its modest offices. Supervisors Von Beroldingen, Francois and Medelsohn figured out how the city can save \$80,000 (repeat: \$80,000) in five years: Move Hetch Hetchy offices from 215 Market St. to the top floor of a cigar factory South of Market in the Industrial area.

THE END

BUSINESS PERSONALS

The UNITED STATES DIRECTORY has just published a comprehensive research guide to the radical movement in America. The GUIDE TO THE AMERICAN LEFT contains some two thousand individual listings of left-wing organizations and periodicals, as well as a bibliography of books and magazine articles on the New Left. This GUIDE, the most extensive of its type yet available, lists both old left and new left, and has a special section on Canadian and foreign listings. It represents many hundreds of man-hours of research by the UNITED STATES DIRECTORY collective.

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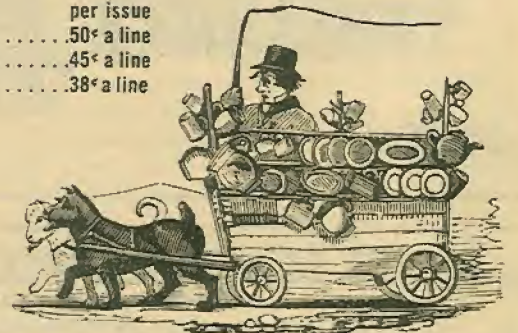
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Our polluted air and BAAPCD

- continued from page 11

emissions of particulates--tiny particles of solid matter suspended in the air--exceed the new state health-based standard.

But the new regulations before the Advisory Council won't apply to existing industries for 3 to 5 years. They will apply to new and expanding industries--but that won't do much to reduce current excessive particulate emissions.

Industrial pollution, to the BAAPCD, isn't a matter of "extreme emergency".

The Board depends on its staff for details, but it has ultimate control over general policy through appointment of the staff's powerful Chief Administrative Officer. If Directors don't like what the CAO is doing, they can get rid of him--as they got rid of their first staff chief, Benjamin Linsky, in 1961.

Jud Callaghan, who had worked for PG&E and the business-oriented Bay Area Council, instituted a policy of cooperating with industry when he was hired in 1961.

Gadfly

Asked about this policy, Callaghan told me it had been "quite successful" and that the structure of the BAAPCD was "extremely effective".

Feldstein said the BAAPCD had kept air pollution at roughly the same level since 1955, despite an expansion in industry.

(But the Bay Area doesn't earn such high marks when compared to other areas. Los Angeles, with almost twice the population of the Bay area, produces fewer daily tons of particulates, sulfur dioxide and hydrocarbon (a kind of organic gas) from stationary sources

than our District.)

The politician/directors are beginning to get pressure from the public as well as from industry.

For instance, the March board meeting will be held in Richmond's City Hall--a great victory for anti-pollution groups there. They plan to marshal scores of residents to testify against the sulfur odors. At first, the Board refused to consider Richmond, but eventually gave in because Mrs. Lord and Warner organized political pressure against Director James Kenney, who soon faces re-election for supervisor.

It is perhaps no coincidence that the two most liberal Directors, Calvo and Jelavich, are from Santa Clara County--the home of Peter Venuto's militant Citizens Against Air Pollution, a BAAPCD gadfly for years.

Jelavich and Calvo sided with Venuto in his unsuccessful fight to get the Board to disclose full information about the major industrial polluters. (See Local Polluter chart, p. 10.)

Even if public pressure is effective in forcing the Directors to consider a change of course, the way will be long and difficult. For they are stuck with three albatrosses of their own making--a CAO and staff committed to an announced policy of industry cooperation, an industry-oriented Advisory Council and a Hearing Board that rarely finds against industrial polluters.

The 3 man Hearing Board, appointed by the Directors, is, theoretically, an "independent" body charged with granting variances from the regulations--temporary "licenses to pollute"--to industries pleading they can't

meet BAAPCD rules. The Hearing Board usually grants the variances: in 29 out of 36 cases in 1969.

The three members' average age is well over 70. One member, Spencer Bodine, is a retired plant manager for Shell Chemical Co., a substantial polluter. Joseph Hunter, former FUC engineer, is 84.

Variances are particularly galling to pollution-choked citizens. For the monthly lists of variances granted or extended reveal the names of major polluters--names like Ortho Chemical Co., Phillips Petroleum, U.S. Steel and Union Oil.

At the January 7 Board meeting, Warner demanded that the staff stop granting variances to Ortho. Callaghan answered, "The staff has no jurisdiction (over variances); it's up to the Hearing Board."

Callaghan's statement was highly misleading. Clearly the staff's position strongly influences the Hearing Board. In 1969, the staff argued in favor of 27 of the 29 variances granted by the Hearing Board.

For 14 of those variances granted, the Hearing Board even agreed to waive the hearing completely--at Callaghan's request. Theoretically, the Hearing Board has the power to overrule the CAO's request for a waiver but it rarely does. Bodine told me he could remember only 2 or 3 occasions in 13 years on the board.

Misleading

Two of the waivers Callaghan requested, and got, had been for Ortho Chemical Co. in August and October, 1969. Callaghan's October waiver was in effect at the moment he told Warner he had nothing to do with the Hearing Board.

The Hearing Board procedure is supposed to resemble a court. But in the cases where BAAPCD staff argues in favor of industry there is no formal provision for anyone else to argue against industry. Yet the law requires the Hearing Board to use "a wide discretion" to balance the possible disadvantages to residents of the district with those to industry.

If a citizen requests to testify, Bodine and Walker explained in separate interviews, the Hearing Board will allow him to make an informal 10 minute statement. Only on rare occasions, at the little publicized hearings, has this happened. The Hearing Board, Walker added, doesn't like "angry witnesses" who have "no facts."

Said Bodine, "What good does it do to have people who are hysterical who don't have any facts to give you?"

Later, I asked Walker if these "facts" weren't the very facts on specific amounts of contaminants from major industries that the BAAPCD refuses to disclose.

Walker replied he was "not about to get into that issue."

The Hearing Board's other job is to rule on BAAPCD proceedings against violations (except on agricultural burning, which may go straight to the municipal court). But it doesn't get much business in this field: out of 1,914 violation notices in fiscal year 1967-68, the BAAPCD staff brought 5 cases to the Hearing Board. In 1968-69, it brought 2 out of 1,996.

Walker represents the BAAPCD in hearings, but Callaghan makes the final decision whether to oppose a variance or prose-

BAAPCD advisory council

Eight men on the influential Advisory Council--which formulates pollution regulations--have direct ties with polluting industries. (They are marked by triangles.) Three of them, marked by dots, even have direct ties with BALIA, industry's strong air pollution lobby.

BAAPCD law specified 10 occupations which must have at least one representative among the 20 members: universities, health agencies, agriculture, industry, community planning, transportation, registered professional engineers, general contractors, architects and organized labor. The board has informally added fire department officials.

The BAAPCD directors have appointed only one representative for most occupations and filled the extra slots with industrialists and businessmen. The conservation community is barely represented.

The Advisory Council has no official power, but its recommendations on regulations are almost always accepted without change by the Board of Directors.

Members:

- Anthony J. Tarlock (chairman) Manager, Walnut Control Board, San Mateo
- Isabel C. Greiner (vice chairman) Attorney, Lamson, Jordan, Walsh, & Lawrence, San Francisco (general practice).
- Ivan T. Goyak (secretary) Vice President, Pacific Bay Real Estate, El Sobrante. Former Contra Costa County supervisor and 1955-58 BAAPCD director.
- John J. Canevari Assistant to general manager, San Mateo County Development Association. Former district sales manager for Standard Oil Co.
- Dr. Theodore K. Cleveland Retired vice president, R&D, Philadelphia Quartz Co. Berkeley. Former active member of Inter-Association Industrial Committee (BALIA's predecessor).
- Joseph D. Coons Consulting air pollution engineer for industries. Paid consultant for BALIA before and after 1967 appointment to Advisory Council. Ex-officio member of BALIA's Air Resources Committee. Director of enforcement for BAAPCD from 1960-64.
- Philip J. Eldredge Former executive secretary, Peninsula Chapter Engineering and Grading Contractors Association, the lobby for Peninsula dirthaulers. President of Eldredge Sales, Inc. (nylon hosiery), Redwood City.
- Ralph T. Glasson VP for base maintenance, United Airlines, South San Francisco.
- Charles W. Graham Senior Power and Steam Generation Specialist, Dow Chemical, Pittsburg. Active member, BALIA Air Resources Committee.
- Peter J. Hunt President, Handi-Kup Co., Corte Madera
- Ronald LeBeau Fire Chief, San Jose
- William B. McCormick Architect, San Francisco
- Edward I. Murphy Assistant director of city planning, San Francisco
- Howard Reed Secretary-Treasurer, Contra Costa Building and Construction Trades Council, Martinez
- Elmer Robinson Senior meteorologist, Stanford Research Institute (contract research on air pollution for government and industry). Recent studies for American Petroleum Institute and PG&E, Moss Landing. Former meteorologist for BAAPCD.
- Robert L. Sevens Production manager, Agriform International Chemical Co. Newark. Former chief engineer, Pacific Coast division, Owens-Corning Fiberglas, Santa Clara.
- Grace Talbott, M.D. Allergist, S.F.
- Prof. Bernard D. Tebbens Professor, Industrial Hygiene Engineering, School of Public Health, U.C. Berkeley
- Dr. W. Elwyn Turner Director, Public Health Department, Santa Clara County
- Mrs. David Wendel Member, League of Women Voters

BAAPCD board of directors

These 12 businessmen politicians decide on policy and new regulations and appoint the Advisory Council, Hearing Board and Chief Administrative Officer of the BAAPCD.

Alameda County

- Laurence D. Kelly* (chairman) Councilman, Piedmont. Application engineer, General Electric Co., S.F.
- Leland W. Sweeney+ Supervisor. Retired Bay Area Manager, Crane Company (plumbing supplies), Oakland

Contra Costa County

- Robert Hoyer Councilman, Clayton. Assistant to President, Leslie Food Division of Leslie Salt, S.F.
- James P. Kenny Supervisor. Former Secretary-business agent, Rodeo Local 326, Oil Workers International Union.

Marin County

- William Gnos* (vice chairman) Supervisor. Retired rancher.
- John A. Miskimen Councilman, San Mateo. Vice President of Research, William Hutchinson Investment Co., San Francisco.

San Francisco County

- William C. Blake+ Supervisor (appointed to Board by mayor). Owner, Franklin Machine Works, S.F.
- Peter A. Tamaras* (secretary) Supervisor. Owner, Tamaras Supply Co., S.F.

San Mateo County

- Morton L. Podolsky* Councilman, Belmont. Pediatrician.
- Robert B. St. Clair* Supervisor. Owner, St. Clair's Liquors, San Francisco.

Santa Clara County

- Victor Calvo Supervisor. Owner, DeAnza Building and Lumber Supplies, Cupertino.
- William R. Jelavich Mayor, Mountain View. Owner, Robleda Packing Co., (fruit gift packing), Mountain View.

* Voted against full disclosure of information about major polluting industries at Feb. 18th meeting.

+ Absent from Feb. 18th meeting.

cute a violation.

The breakdown of pollution equipment doesn't count as a violation. All industries must do is pick up a telephone and inform the BAAPCD. They are on the "honor" system to report breakdowns.

Richmond residents note Standard Oil reported breakdowns on 88 out of 111 consecutive days.

Many feel that the District would be better served by Directors elected for the specific purpose of controlling pollution--including Assemblyman Willie Brown, who has just introduced such a bill (AB 641) to the legislature.

Walker described AB 641, at the Feb. 18 Board meeting. Chairman Kelly looked at the audience and asked "Do any of you know about this bill?" Most were puzzled by his question, and only BALIA's Ev Hayden raised his hand.

"The legislature may pass a law forcing us to do things you may not like," Kelly continued. "If you're interested, you should bring yourselves to their attention."

Conservationists in the audience looked at each other. Kelly, they decided, could only have been speaking to industry.

THE END

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